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10th Grade

Clear Creek High School, Clear Creek ISD

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ATTORNEY GENERAL

Under provisions set out in the Texas Constitution, the Texas Government Code, Title 4, §402.042 and numerous statutes, the attorney general is authorized to write advisory opinions for state and local officials. These advisory opinions are requested by agencies or officials when they are confronted with unique or unusually difficult legal questions. The attorney general also determines, under authority of the Texas Open Records Act, whether information requested for release from governmental agencies may be held from public disclosure. Requests for opinions, opinions, and open record decisions are summarized for publication in the ***Texas Register***. The Attorney General responds to many requests for opinions and open records decisions with letter opinions. A letter opinion has the same force and effect as a formal Attorney General Opinion, and represents the opinion of the Attorney General unless and until it is modified or overruled by a subsequent letter opinion, a formal Attorney General Opinion, or a decision of a court of record. To request copies of opinions, phone (512) 462-0011. To inquire about pending requests for opinions, phone (512) 463-2110.

Requests for Opinion

LO-#97-046. Request from the Honorable Fred Hill, Chair, Committee on Urban Affairs, Texas House of Representatives, P.O. Box 2910, Austin, Texas 78768-2910, regarding whether a city has violated the Plumbing License Law, V.T.C.S. art. 6243-101, or misappropriated public funds by providing certain services to city residents (ID# 39397).

SUMMARY. City employees are precluded from performing plumbing work unless they are licensed under the Plumbing License Law or exempt from licensure under that act. Article III, section 52(a) of the Texas Constitution does not preclude a city from performing services that are necessary for the direct accomplishment of a legitimate public purpose and only incidentally benefit private interests.

LO-#97-047. Request from the Honorable David Counts Chair, Committee on Natural Resources, Texas House of Representatives, P.O. Box 2910, Austin, Texas 78768-2910, regarding whether a former regent of the Texas State Technical College System may be appointed executive officer of the system (ID# 39533).

SUMMARY. A former member of the Board of Regents of the Texas State Technical College System is eligible to be appointed executive officer of the system, provided his successor as regent has qualified for and taken the oath of office prior to the appointment.

LO-#97-048. Request from the Honorable Robert T. Jarvis, Grayson County Attorney, Justice Center, Suite 116A, Sherman, Texas 75090, regarding whether an escrow deposit required of a developer by a home-rule city is an impact fee (ID# 39009).

SUMMARY. The escrow fee mandated by Ordinance No. 2684 of the City of Sherman, Texas is not an impact fee within the meaning of Local Government Code section 395.001(4).

LO-#97-049. Request from the Honorable Jos, R. Rodriguez, El Paso County Attorney, 500 East San Antonio, Room 203, El Paso, Texas 79901, regarding whether a school district is authorized to pay legal defense costs incurred by an employee in a criminal proceeding (ID# 39382).

SUMMARY. Common law recognized by this office authorizes a school district to employ counsel to defend a school district employee in a criminal proceeding if the board of trustees determines in good faith that the legitimate interests of the school district require the assertion of a vigorous legal defense. A school district is not authorized under the common law to reimburse an employee for legal expenses after the expenses have been incurred. In order to pay counsel with local school funds, the board of trustees must

determine that employment of counsel to represent the employee in a criminal proceeding is a "service necessary in the conduct of the public schools," Education Code 45.105(c).

LO-#97-050. Request from the Honorable James M. Kuboviak, Brazos County Attorney, 300 East 26th Street, Suite Number 325, Bryan, Texas 77803, regarding whether a bail bond board may grant a license to an applicant who will do business under an assumed name recently abandoned by another licensee, and related questions (ID# 39375).

SUMMARY. A bail bond board is not authorized to require a licensee who changes his or her business name during the period of a license to apply for a new or amended license. A board may take action to suspend or revoke the license of a licensee who changes his or her business name on the basis of the change only if the licensee made a false statement or misrepresentation regarding the business name in the application or in a hearing before the board. A board is not precluded from granting a license to a person on the basis that the business name listed in the person's application is the same as an assumed name recently abandoned by another licensee.

LO-#97-051. Request from the Honorable John W. Smith Ector, County District Attorney, 300 North Grant, Room 305, Odessa, Texas 79761, regarding whether a county commissioners court is authorized to create a new position in the middle of a fiscal year (ID# 39410).

SUMMARY. If an emergency exists, Local Government Code section 111.010, subsection (c) permits a commissioners court to amend the budget to provide funds for the salary of a position created in the middle of the fiscal year. Subsection (d) of section 111.010 authorizes budget amendments to transfer funds between existing budgeted items on a nonemergency basis; it does not permit a commissioners court to amend the budget to transfer funds from an existing budgeted item to an unbudgeted item. Local Government Code section 111.011 does not authorize a commissioners court to change or amend a budget without complying with section 111.010.

LO-#97-052. Request from the Honorable Dickie Geries, Chair, Texas Agricultural Finance Authority, P.O. Box 12847, Austin, Texas 78711, regarding whether common-law conflict of interest rules prohibit a bank that employs a Texas Agricultural Finance Authority board member from participating in the linked deposit program (ID# 39160).

SUMMARY. A member of the Texas Agricultural Finance Authority employed by a bank would have a pecuniary interest in the bank's linked deposit contracts entered into under sections 44.007 through 44.010 of the Agriculture Code such that common-law conflict of

interest rules would invalidate the contracts. Accordingly, a bank that employs a board member of the authority may not participate in the linked deposit program.

TRD-9706550

ID-# 39519. Request from the Honorable Fred Hill, Texas House of Representatives, P.O. Box 2910, Austin, Texas 78768-2910, regarding eligibility of three individuals to serve as members of the Fire Fighters and Police Officers Civil Service Commission of the City of Cleburne and related questions.

TRD-9706512

RQ-936. Request from the Honorable J. E. "Buster" Brown, Chair, Natural Resources Committee, Texas State Senate, P.O. Box 12068, Austin, Texas 78711-2068, regarding Constitutionality of chapter 29, of the Texas Property Code, which provides for the forced sale of an owner's interest in certain real property for property taxes paid by a co-owner on the owner's behalf.

TRD-9706511

DM-439. (RQ-921) Request from the Honorable Richard J. Miller, Bell County Attorney, P.O. Box 1127, Belton, Texas 76513, regarding whether a juvenile court's authority under Family Code section 51.12(b) to "control the conditions and terms of detention and detention supervision" supersedes the terms of a county contract with a private corporation regarding the operation of the county juvenile detention facility.

SUMMARY. Family Code section 51.12(b) vests a county juvenile court with authority over county juvenile detention facilities separate and apart from the authority of the juvenile board and commissioners court. A county contract with a private corporation regarding the operation of a juvenile detention facility is void to the extent it conflicts with section 51.12(b).

TRD-9706551

PROPOSED RULES

Before an agency may permanently adopt a new or amended section or repeal an existing section, a proposal detailing the action must be published in the *Texas Register* at least 30 days before action is taken. The 30-day time period gives interested persons an opportunity to review and make oral or written comments on the section. Also, in the case of substantive action, a public hearing must be granted if requested by at least 25 persons, a governmental subdivision or agency, or an association having at least 25 members.

Symbology in proposed amendments. New language added to an existing section is indicated by the use of **bold text**. [Brackets] indicate deletion of existing material within a section.

TITLE 4. AGRICULTURE

Part III. Texas Feed and Fertilizer Control Service/Office of the Texas State Chemist

Chapter 61. Commercial Feed Rules

Adulterants

4 TAC §61.66

The Office of the Texas State Chemist, Feed and Fertilizer Control Service proposes new 4 TAC: Chapter 61, Commercial Feed Rules §61.66, under the undesignated head of Adulterants concerning General Provisions for Blending Aflatoxin-Contaminated Corn or Cottonseed.

The new rule is necessary to assure that appropriate ammoniation and blending conditions are used to minimize the level of aflatoxin contamination in corn and cottonseed.

Dr. George W. Latimer, Jr., the State Chemist, has determined that there will be no fiscal implications for state and local government as a result of enforcing or administering the new rule.

Dr. Latimer also has determined that for each year of the first five years the rule is in effect, the public benefit anticipated as a result of enforcing the rule will be the availability of new channels of trade for aflatoxin-contaminated grains and a reduction in the possibility of contaminated product being sold in authorized ways.

Comments on the proposed changes may be submitted to Dr. George W. Latimer, Jr., Office of the Texas State Chemist, P.O. Box 3160, College Station, Texas 77841-3160 or FAX (409) 845-1389.

The amendment is proposed under Texas Agriculture Code 141, §141.004 which provides Texas Feed and Fertilizer Control Service with the authority to adopt rules relating to the distribution of commercial feeds.

The Texas Agriculture Code, 4 TAC 141, of the Texas Commercial Feed Control Act, Subchapter G, §141.148, is affected by the proposed amendment.

§61.66. General Provisions for Blending Aflatoxin-Contaminated Corn or Cottonseed.

(a) The provision of this section apply to the blending of whole grain or seed containing no more than 500 ppb aflatoxin and shall also govern instances in which failure to adhere to the practices results in inappropriate levels of aflatoxin. In the latter case the product is adulterated within the meaning of §141.148 of the Texas Commercial Feed Control Act (Law).

(b) In addition to these provisions, the distributors of blended corn shall comply with any and all other provisions of the Texas Feed Rules and Law.

(c) The general process used for blending aflatoxin-containing grain shall consist of:

(1) cleaning the grain;

(2) blending the grain or seed with the same grain or seed containing no less than 20 ppb aflatoxin.

(d) Processors shall measure the aflatoxin levels of all grains used in blending before blending as well as the aflatoxin level of the resulting blend on a representative sample.

(e) Each facility must provide to the Service on reasonable request its records of blending and testing.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706274

Dr. George W. Latimer, Jr.

State Chemist

Texas Feed and Fertilizer Control Service/Office of the Texas State Chemist

Earliest possible date of adoption: June 23, 1997

TITLE 13. CUTLTURAL RESOURCES

Part I. Texas State Library and Archives Commission

Chapter 7. Local Records

Records Retention Schedules

13 TAC §7.125

The Texas State Library and Archives Commission proposes amendments to §7.125 adopting amended records retention schedules for the records of county clerks, district clerks, and public safety agencies pursuant to the Government Code, §441.158(a). The first editions of these schedules were adopted by reference and were effective November 1, 1994. The schedules are now published as graphic material. Proposed amendments throughout the schedules are indicated with an asterisk (*). The schedules establish mandatory minimum periods of time the records listed must be retained by elected county officers and local governments before disposal. The schedules are amended to take into account changes to retention periods established in federal or state law or regulation since the schedules were first issued. The schedules are also amended on the basis of suggestions from local governments and elected county officers.

William L. Dyess, Director, State and Local Records Management Division, has determined that for each year of the first five years the section is in effect there will be fiscal implications for state or local government as a result of administering or enforcing the section. There is no effect on state government. The net effect for local government is that use of the schedules can result in a cost reduction but the amount per government cannot be accurately determined as it will depend on whether a government chooses to dispose of its records in accordance with the minimum retention periods established in the schedules or chooses to keep its records for longer periods. Mr. Dyess estimates that the cost reduction for local governments that choose to retain records at or slightly above the minimum retention periods will range from less than \$100 per year in small governments to several thousand dollars per year in larger governments.

Mr. Dyess also has determined that for each year of the first five years the rule as proposed is in effect the public benefits anticipated as a result of enforcing the rule as proposed will be that local governments will be able to meet the requirements of the Local Government Code, §203.041 and §203.042, which require that records control schedules be prepared and submitted to the director and librarian of the Texas State Library that conform to records retention schedules issued by the commission or that local governments declare compliance with commission schedules. The information included in scheduled records document the actions of local governments. If such records are destroyed while they still have fiscal, legal, administrative, and historical value, then the public's rights to access public information contained in them are effectively denied. Application of schedules

will further benefit the public through avoidance of storage and personnel costs associated with maintaining records after they have ceased to have value. There will be no effect on small businesses. There is no anticipated economic cost to persons required to comply with the section as proposed.

Comments on the proposal may be submitted to Michael Heskett, Records Management Assistance Manager, State and Local Records Management Division, Texas State Library, Box 12927, Austin, Texas 78711-2927.

The amendment is proposed under the Government Code, §441.158(a). The Government Code, §441.158(a), requires the commission to prepare and distribute records retention schedules for local government records and to adopt the schedules by rule.

The proposed amendment affects the Government Code, §441.158(a).

§ 7.125. *Records Retention Schedules.*

(a) The following records retention schedules, required to be adopted by rule under the Government Code, §441.158(a), are adopted by reference. Copies of the schedules are available from the State and Local Records Management Division, Texas State Library, P.O. Box 12927, Austin, Texas 78711-2927; (512) 452-9242.

(1)-(6) (No change.)

[(7) Local Schedule PS: Records of Public Safety Agencies;

[(8) Local Schedule CC: Records of County Clerks;

[(9) Local Schedule DC: Records of District Clerks;]

[(7)][(10)] Local Schedule UT: Records of Utility Services.

(b) The following records retention schedules, required to be adopted by rule under the Government Code, §441.158(a), are adopted.

(1)-(2) (No change.)

(3) **Local Schedule CC: Records of County Clerks, 2nd Edition;**
FIGURE 1: 13 TAC §7.125(b)(3)

(4) **Local Schedule DC: Records of District Clerks, 2nd Edition;**
FIGURE 2: 13 TAC §7.125(b)(4)

(5) **Local Schedule PS: Records of Public Safety Agencies, 2nd Edition.**
FIGURE 3: 13 TAC §7.125(b)(5)

(c) (No change.)

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706293

Raymond Hitt

Assistant State Librarian

Texas State Library and Archives Commission

Earliest possible date of adoption: June 23, 1997

For further information, please call: (512) 463-5460

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TITLE 22. EXAMINING BOARDS

Part XXI. Texas State Board of Examiners of Psychologists

Chapter 465. Rules of Practice

22 TAC §465.2

The Texas State Board of Examiners of Psychologists proposes new §465.2, concerning Supervision of Psychological Services. The new rule is being proposed in order to distinguish that professional supervision of the delivery of psychological services constitutes the practice of psychology, while administrative supervision does not, and to recodify and relocate the rule concerning supervision.

Sherry L. Lee, Executive Director, has determined that for the first five-year period the rule is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the rule.

Ms. Lee also has determined that for each year of the first five years the rule is in effect the public benefit anticipated as a result of enforcing the rule will be to render the rules more accessible and easily understood by the profession and the public. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Janice C. Alvarez, Texas State Board of Examiners of Psychologists, 333 Guadalupe, Suite 2-450, Austin, Texas 78701, (512) 305-7700.

The new rule is proposed under Texas Civil Statutes, Article 4512c, which provide the Texas State Board of Examiners of Psychologists with the authority to make all rules, not inconsistent with the Constitution and Laws of this State, which are reasonably necessary for the proper performance of its duties and regulations of proceedings before it.

The proposed new rule does not affect other statutes, articles, or codes.

§465.2. Supervision of Psychological Services.

A licensed psychologist shall be responsible for the professional supervision of the delivery of psychological services by certified psychologists, psychological associates and any other individuals that the psychologist employs or utilizes to deliver or perform psychological services of any kind. Supervision is to be provided according to accepted professional standards taking into consideration the level of training and experience of the supervisee and the type of psychological services involved. Accepted professional standards are determined by the Texas State Board of Examiners of Psychologists through its rules, regulations, and policies, and any other source adopted by the Board. For purposes of this rule, the term "supervision" does not apply to supervision of purely administrative or employment matters.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706297

Sherry L. Lee

Executive Director

Texas State Board of Examiners of Psychologists

Earliest possible date of adoption: June 23, 1997

For further information, please call: (512) 305-7700

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22 TAC §465.3

The Texas State Board of Examiners of Psychologists proposes new §465.3, concerning Providers of Psychological Services. The new rule is being proposed in order to clarify the functions that licensees of the Board, individuals exempt from the jurisdiction of the Board, and unlicensed, unexempt individuals may perform when employed by licensees of this Board.

Sherry L. Lee, Executive Director, has determined that for the first five-year period the rule is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the rule.

Ms. Lee also has determined that for each year of the first five years the rule is in effect the public benefit anticipated as a result of enforcing the rule will be to render the rules more accessible and easily understood by the profession and the public. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Janice C. Alvarez, Texas State Board of Examiners of Psychologists, 333 Guadalupe, Suite 2-450, Austin, Texas 78701, (512) 305-7700.

The new rule is proposed under Texas Civil Statutes, Article 4512c, which provide the Texas State Board of Examiners of Psychologists with the authority to make all rules, not inconsistent with the Constitution and Laws of this State, which are reasonably necessary for the proper performance of its duties and regulations of proceedings before it.

The proposed new rule does not affect other statutes, articles, or codes.

§465.3. Providers of Psychological Services.

(a) Psychologists shall employ or utilize an individual to provide psychological services, in any setting not specifically exempt under §22(a) of the Act, only if:

(1) The individual is licensed by this Board; or,

(2) The individual is specifically exempted from licensure requirements by §22(b) of the Act, relating to provision of services as part of a supervised course of study by students, residents or interns pursuing a course of study in a recognized training institution or facility; or,

(3) The individual is engaged in post-doctoral supervision for purposes of satisfying §21(a)(2) of the Act; or,

(4) The individual is completing supervised experience for purposes of satisfying §26(b)(3) of the Act, relating to Licensed Specialist in School Psychology.

(b) Unlicensed individuals providing psychological services pursuant to §§22(b), 21(a)(2), or 26(b)(3) of the Act must be under the direct supervision of a licensed psychologist at all times. All patients

or clients who receive psychological services from an unlicensed individual under the supervision of a licensed psychologist must be clearly informed of the supervisory status of the individual and how the patient or client may contact the supervising licensed psychologist directly.

(c) An individual may not provide psychological services under a license from this Board and services or activities under another professional license simultaneously. Patients and clients who receive services and activities provided by an individual who holds more than one professional license must be informed of the license under which the services and activities are being provided.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706298

Sherry L. Lee

Executive Director

Texas State Board of Examiners of Psychologists

Earliest possible date of adoption: June 23, 1997

For further information, please call: (512) 305-7700



22 TAC §465.4

The Texas State Board of Examiners of Psychologists proposes new §465.4, concerning Employment of Individuals Not Licensed by This Board. The new rule is being proposed in order to clarify the functions that licensees of the Board, individuals exempt from the jurisdiction of the Board, and unlicensed, unexempt individuals may perform when employed by licensees of this Board.

Sherry L. Lee, Executive Director, has determined that for the first five-year period the rule is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the rule.

Ms. Lee also has determined that for each year of the first five years the rule is in effect the public benefit anticipated as a result of enforcing the rule will be to render the rules more accessible and easily understood by the profession and the public. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Janice C. Alvarez, Texas State Board of Examiners of Psychologists, 333 Guadalupe, Suite 2-450, Austin, Texas 78701, (512) 305-7700.

The new rule is proposed under Texas Civil Statutes, Article 4512c, which provide the Texas State Board of Examiners of Psychologists with the authority to make all rules, not inconsistent with the Constitution and Laws of this State, which are reasonably necessary for the proper performance of its duties and regulations of proceedings before it.

The proposed new rule does not affect other statutes, articles, or codes.

§465.4. *Employment of Individuals Not Licensed by This Board.*

(a) **Individuals Licensed in Another Profession.** Psychologists may employ or utilize individuals who are licensed members of another profession to provide only activities or services permitted by the applicable license or licenses held by that individual. These services and activities may not be described or represented to the patient or client as psychological services, and the individual must be clearly identified to the patient or client as a licensee of the applicable profession who is providing services pursuant to that individual's own license.

(b) **Unlicensed, Non-Exempt Individuals.** Psychologists may employ unlicensed, non-exempt individuals only to perform services which do not constitute the practice of psychology or the activities and services of another licensed profession. Permissible duties include:

(1) Secretarial and clerical duties such as scheduling appointments or processing insurance forms.

(2) Data gathering, such as administering, proctoring, or scoring non-projective tests, obtaining histories or obtaining documentation for record keeping purposes, provided that it does not require psychological education or involve the provision of psychological services.

(3) Technical, educational, or other duties that are adjunctive to and incorporated into the provision of psychological services such as providing educational information or assisting a client's work with a computer, special equipment or special materials, provided that the duties do not require psychological education or involve the provision of psychological services or the services or activities of another licensed profession.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706299

Sherry L. Lee

Executive Director

Texas State Board of Examiners of Psychologists

Earliest possible date of adoption: June 23, 1997

For further information, please call: (512) 305-7700



22 TAC §465.7

The Texas State Board of Examiners of Psychologists proposes an amendment to §465.7, concerning Providers of Psychological Services. The amendment is being proposed in order to return the rule to its original wording.

Sherry L. Lee, Executive Director, has determined that for the first five-year period the rule is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the rule.

Ms. Lee also has determined that for each year of the first five years the rule is in effect the public benefit anticipated as a result of enforcing the rule will be to render the rules more accessible and easily understood by the profession and the public. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Janice C. Alvarez, Texas State Board of Examiners of Psychologists, 333 Guadalupe, Suite 2-450, Austin, Texas 78701, (512) 305-7700.

The amendment is proposed under Texas Civil Statutes, Article 4512c, which provides the Texas State Board of Examiners of Psychologists with the authority to make all rules, not inconsistent with the Constitution and Laws of this State, which are reasonably necessary for the proper performance of its duties and regulations of proceedings before it.

The proposed amendment does not affect other statutes, articles, or codes.

§465.7. Status of Psychological Associates/Certified Psychologists.
[Providers of Psychological Services.]

Only individuals licensed by this Board or individuals under supervision as set forth in Board rules may offer psychological services in the State of Texas.] **Licensed** [A licensed] psychological **associates and** [associate or] certified **psychologists** [psychologist] must remain under supervision and may not engage in independent practice.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706300

Sherry L. Lee

Executive Director

Texas State Board of Examiners of Psychologists

Earliest possible date of adoption: June 23, 1997

For further information, please call: (512) 305-7700



22 TAC §465.18

(Editor's note: The text of the following section proposed for repeal will not be published. The section may be examined in the offices of the Texas State Board of Examiners of Psychologists or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)

The Texas State Board of Examiners of Psychologists proposes the repeal of §465.18, concerning Supervision. The repeal is being proposed because the rule has been amended and moved to another section of the rules to ensure uniform awareness and compliance with the Board supervision requirements for the provision of psychological services under the Act.

Sherry L. Lee, Executive Director, has determined that for the first five-year period the repeal is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the repeal.

Ms. Lee also has determined that for each year of the first five years the repeal is in effect the public benefit anticipated as a result of enforcing the repeal will be to render the rules more accessible and easily understood by the profession and the public. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the repeal as proposed.

Comments on the proposal may be submitted to Janice C. Alvarez, Texas State Board of Examiners of Psychologists, 333 Guadalupe, Suite 2-450, Austin, Texas 78701, (512) 305-7700.

The repeal is proposed under Texas Civil Statutes, Article 4512c, which provides the Texas State Board of Examiners of Psychologists with the authority to make all rules, not inconsistent with the Constitution and Laws of this State, which are reasonably necessary for the proper performance of its duties and regulations of proceedings before it.

The proposed repeal does not affect other statutes, articles, or codes.

§465.18. Supervision.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706301

Sherry L. Lee

Executive Director

Texas State Board of Examiners of Psychologists

Earliest possible date of adoption: June 23, 1997

For further information, please call: (512) 305-7700



Chapter 473. Fees

22 TAC §473.3

The Texas State Board of Examiners of Psychologists proposes an amendment to §473.3, concerning Annual Renewal Fees, to be effective September 1, 1997. The amendment is being proposed in order to implement its licensing and enforcement strategies concerning the Licensed Specialist in School Psychology in accordance with its mission and strategic plan by generating revenue, pursuant to the 1995 General Appropriations Act, 74th Legislative Session, House Bill No. 1.

Sherry L. Lee, Executive Director, has determined that for the first five-year period the rule is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the rule.

Ms. Lee also has determined that for each year of the first five years the rule is in effect the public benefit anticipated as a result of enforcing the rule will be to provide funding permitting the Board to implement licensing and enforcement strategies concerning the Licensed Specialist in School Psychology, thus fulfilling its mission to protect the public. There will be no effect on small businesses. The anticipated economic cost to persons who are required to comply with the rule as proposed will be in direct proportion to the type of license or certificate the person is renewing.

Comments on the proposal may be submitted to Janice C. Alvarez, Texas State Board of Examiners of Psychologists, 333 Guadalupe, Suite 2-450, Austin, Texas 78701, (512) 305-7700.

The amendment is proposed under Texas Civil Statutes, Article 4512c, which provide the Texas State Board of Examiners of Psychologists with the authority to make all rules, not inconsistent with the Constitution and Laws of this State, which

are reasonably necessary for the proper performance of its duties and regulations of proceedings before it.

The proposed amendment does not affect other statutes, articles, or codes.

§473.3. *Annual Renewal Fees. (Not refundable)*

(a)-(f) (No change.)

(g) **Licensed Specialist in School Psychology \$30.**

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706302

Sherry L. Lee

Executive Director

Texas State Board of Examiners of Psychologists

Earliest possible date of adoption: June 23, 1997

For further information, please call: (512) 305-7700

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part I. General Land Office

Chapter 15. Coastal Area Planning

Subchapter A. Management of the Beach Dune System

31 TAC §15.11

The General Land Office proposes an amendment to §15.11, concerning certification of local government dune protection and beach access plans. The purpose of the rule amendment is to relocate the interim certification of the Nueces County Beach Management Plan (Plan) issued to Nueces County in §15.11(f) and certify the Plan as consistent with state law in new §15.11(a)(12).

On March 25, 1992, the Nueces County commissioners court adopted by order the Nueces County Beach Management Plan. Nueces County requested that the General Land Office develop an interim approval process so that Nueces County could develop and begin implementation of its Plan prior to the General Land Office's final adoption of the rules for Management of the Beach/Dune System (31 TAC §§15.1-15.10) (beach/dune rules). The General Land Office issued interim certification to Nueces County on October 9, 1992, requiring that the Plan be revised in accordance with state law. The beach/dune rules were adopted to be effective February 17, 1993 (18 TexReg 661) and amended to be effective April 16, 1996 (21 TexReg 3004). Nueces County has revised its Plan in response to comments from the General Land Office and the Attorney General's office and in accordance with state law.

For clarification purposes, Section III.H., "Special Requirements for Eroding Areas" of the Plan is consistent with state law

because the Plan limits the use of impervious surfaces in eroding areas. Impervious surfaces may only be allowed by Nueces County for: (1) altering or paving only the ground within the footprint of the habitable structure; and (2) only if the altering or paving will be undertaken landward of 200 feet from the line of vegetation. Brick pavers, gravel or crushed limestone are recommended for the stabilization of driveways. If there is any confusion as to the circumstances when impervious surfaces may be allowed, the beach/dune rules prevail over the Plan.

The proposed certification of the Nueces County Plan is subject to the Texas Coastal Management Program, 31 TAC §§501.1-506.52. The General Land Office has reviewed this proposed action for consistency with the Texas Coastal Management Program (CMP) goals and policies in accordance with the regulations of the Coastal Coordination Council, and has determined that the proposed action is consistent with the applicable CMP goals and policies. The CMP goals and policies regarding construction in the beach/dune system, 31 TAC §501.14(k), apply to this action.

Ms. Caryn K. Cosper, deputy commissioner for the Resource Management Program, has determined that for the first five-year period the rule is in effect there will be no fiscal effects to state or local governments as a result of the rule amendment because these amendments certify an existing local plan. Ms. Cosper has further determined that these rules will have no monetary effect on state government, as these amendments certify an existing local plan.

Ms. Cosper has also determined that for each year of the first five years the rule is in effect the public benefit anticipated as a result of enforcing or administering the rule will be certainty in the administration of the Plan and clarity in the organization of the rules concerning the certification of local government plans in that all plans that are certified as consistent with state law are located in a single subsection. Ms. Cosper has further determined that there will no effect on small business or on the persons required to comply with the rule. The proposed rule amendments to §15.11 do not substantively change requirements for Nueces County.

Comments may be submitted in writing to Ms. Cheli Cook, Texas General Land Office, Legal Services Division, 1700 North Congress Avenue, Room 626, Austin, Texas 78701-1495 (Fax: 512/463-6311). Comments must be received no later than 5:00 p.m. on June 16, 1997.

The amendment is proposed under the Texas Natural Resources Code, §§63.121, 61.011, and 61.015(b), which provides the General Land Office with the authority to: identify and protect critical dune areas; preserve and enhance the public's right to use and have access to and from Texas' public beaches; protect the public easement from erosion or reduction caused by development or other activities on adjacent land; and other minimum measures needed to mitigate for any adverse effect on public access and dune areas. The amendment is also proposed pursuant to the Texas Natural Resources Code, §33.601, which provides the General Land Office with the authority to adopt rules on erosion, and the Texas Water Code, §16.321, which provides the General Land Office with the authority to adopt rules on coastal flood protection.

The Texas Natural Resources Code, Chapter 61, Subchapter B, §61.011 and §61.015(b), and Texas Natural Resources Code, Chapter 63, Subchapter E, §63.121, are affected by this proposed amendment.

§15.11. Certification of Local Government Dune Protection and Beach Access Plans.

(a) Certification of local government plans. The following local governments have submitted plans to the General Land Office which are certified as consistent with state law:

(1)-(11) (No change.)

(12) **Nueces County.**

(A) **Plan (adopted March 25, 1992, amended October 23, 1996).**

(B) **La Concha master plan. The General Land Office certifies that the dune protection portion of the La Concha master plan adopted by the Nueces County commissioners court on March 20, 1996, is consistent with state law.**

(b)-(e) (No change.)

[(f) Nueces County.

[(1) The interim certification of the Nueces County plan, as adopted in the March 29, 1993, issue of the Texas Register (18 TexReg 1684), continues in effect until the General Land Office either certifies a revised Nueces County plan in subsection (a) or (b) of this section.

[(2) The General Land Office certifies that the dune protection portion of the La Concha master plan adopted by the Nueces County commissioners court on March 20, 1996, is consistent with state law.]

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Issued in Austin, Texas, on May 14, 1997.

TRD-9706336

Garry Mauro

Chairman

General Land Office

Earliest possible date of adoption: June 23, 1997

For further information, please call: (512) 463-6467

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ADOPTED RULES

An agency may take final action on a section 30 days after a proposal has been published in the *Texas Register*. The section becomes effective 20 days after the agency files the correct document with the *Texas Register*, unless a later date is specified or unless a federal statute or regulation requires implementation of the action on shorter notice.

If an agency adopts the section without any changes to the proposed text, only the preamble of the notice and statement of legal authority will be published. If an agency adopts the section with changes to the proposed text, the proposal will be republished with the changes.

TITLE 4. AGRICULTURE

Part I. Texas Department of Agriculture

Chapter 10. Seed Certification Standards

Acreage Inspection Fees for Certification

4 TAC §10.13

The Texas Department of Agriculture (the department) and the State Seed and Plant Board (the Board) adopts amendments to §10.13 and §10.22, concerning additional requirements for the certification of certain crops under the Texas Seed and Plant Certification Act without changes to the proposed text as published in the April 1, 1997, issue of the *Texas Register* (22 TexReg 3183).

The department is the certifying agency in the administration of the Seed and Plant Certification Act, and is charged with administering and enforcing the standards adopted by the Board. The adopted amendment to §10.13 adds cantaloupe and clover to the certification chart which were inadvertently omitted. This chart designates fees per acre for various crop kinds as required for seed certification for genetic identity only. The adopted amendment to §10.22 adds the combination of off-types allowed in certified commercial hybrid sunflower growout tests, as adopted by the Board.

No comments were received regarding the adoption of the amendments.

The amendment is adopted under the Texas Agriculture Code, §62.002, which provides the State Seed and Plant Board with the authority to establish standards of genetic purity and identity as necessary for the efficient enforcement of agricultural interest; the Texas Agriculture Code §12.016, which provides the department with the authority to adopt rules for administration of the code; and, the Texas Agriculture Code, §62.008 which provides the department with the authority to charge certification fees.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 14, 1997.

TRD-9706321

Dolores Alvarado Hibbs

Deputy General Counsel

Texas Department of Agriculture

Effective date: June 3, 1997

Proposal publication date: April 1, 1997

For further information, please call: (512) 463-7583

Additional Requirements for the Certification of Certain Crops

4 TAC §10.22

The amendment is adopted under the Texas Agriculture Code, §62.002, which provides the State Seed and Plant Board with the authority to establish standards of genetic purity and identity as necessary for the efficient enforcement of agricultural interests; §12.016, which provides the Texas Department of Agriculture with the authority to adopt rules for Administration of the Texas Agriculture Code; and §62.008, which provides the department with the authority to charge fees.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 14, 1997.

TRD-9706322

Dolores Alvarado Hibbs

Deputy General Counsel

Texas Department of Agriculture

Effective date: June 3, 1997

Proposal publication date: April 1, 1997

For further information, please call: (512) 463-7583

TITLE 22. EXAMINING BOARDS

Part XXI. Texas State Board of Examiners of Psychologists

Chapter 461. General Rulings

22 TAC §461.11

The Texas State Board of Examiners of Psychologists adopts an amendment to §461.11, concerning Continuing Education,

without changes to the proposed text as published in the March 11, 1997, issue of the *Texas Register* (22 TexReg 2567).

The rule is being amended to reflect that only twelve hours of continuing education must be completed by any licensee regardless of the number of licenses issued by this Board and held by the licensee, to reflect that continuing education hours obtained in the future can no longer be banked and to reflect that the term "licensee" applies to all individuals licensed by this Board.

The amendment will ensure that each individual licensed by the Board is obtaining continuing education hours yearly, thereby allowing the citizens of Texas to obtain the best possible psychological services available by qualified individuals and to make the rules easier for licensees and the general public to understand and follow.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, 4512c, which provide the Texas State Board of Examiners of Psychologists with the authority to promulgate rules consistent with the Statute.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706303

Sherry L. Lee

Executive Director

Texas State Board of Examiners of Psychologists

Effective date: June 2, 1997

Proposal publication date: March 11, 1997

For further information, please call: (512) 305-7700



Chapter 463. Applications

22 TAC §463.5

The Texas State Board of Examiners of Psychologists adopts an amendment to §463.5, concerning Application File Requirements, without changes to the proposed text as published in the March 11, 1997, issue of the *Texas Register* (22 TexReg 2567).

The rule is being amended to effectively implement requirements for temporary licensure as mandated by the 74th Legislature of Texas and to establish application requirements for those individuals licensed in another jurisdiction who wish to obtain one-year temporary licenses while seeking permanent licensure from the Board.

The amendment will ensure that all licensees and the general public are aware of the Board's requirements for temporary licensure and ensure that the citizens of the State of Texas are receiving the best possible psychological services from qualified individuals.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, 4512c, which provide the Texas State Board of Examiners of Psychologists with the authority to promulgate rules consistent with the Statute.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706304

Sherry L. Lee

Executive Director

Texas State Board of Examiners of Psychologists

Effective date: June 2, 1997

Proposal publication date: March 11, 1997

For further information, please call: (512) 305-7700



22 TAC §463.7

The Texas State Board of Examiners of Psychologists adopts new §463.7, concerning Temporary Licensure Requirements for Applicants Seeking Permanent Licensure as Psychologists or Psychological Associates, with changes to the proposed text as published in the March 11, 1997, issue of the *Texas Register* (22 TexReg 2568).

The new rule is being adopted to effectively implement requirements for temporary licensure as mandated by the 74th Legislature of Texas; to establish standards to define the term "substantial equivalent" for purposes of §15A of the Psychologists' Certification and Licensing Act permitting the Board to issue one-year temporary licenses to individuals licensed in another jurisdiction who are seeking permanent licensure from the Board; and to set forth additional requirements that the applicant must meet to qualify for temporary licensure with the Board while satisfying the Board's requirements for permanent licensure.

The amendment will ensure that the public is advised of the procedures by which temporary licensure can be obtained by individuals who are seeking permanent licensure with the Board, thereby ensuring that the citizens of Texas are receiving the best possible psychological services from qualified individuals.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, 4512c, which provide the Texas State Board of Examiners of Psychologists with the authority to promulgate rules consistent with the Statute.

§463.7. Temporary Licensure Requirements for Applicants Seeking Permanent Licensure as Psychologists or Psychological Associates.

(a) For purposes of Section 15A, Endorsement, of the Psychologists' Certification & Licensing Act, an applicant for temporary licensure or certification as a psychologist or an applicant for temporary licensure as a psychological associate must establish that the requirements for licensing, certification, or registration in the jurisdiction in which the applicant for temporary license is currently licensed "are substantially equal to those prescribed by this Act" by demonstrating that:

(1) The jurisdiction requires:

(A) A doctoral degree in psychology for licensure, certification or registration as a psychologist, if the applicant seeks temporary licensure or certification as a psychologist; or

(B) A master's degree from a program that is primarily psychological in nature, if the applicant seeks temporary licensure as a psychological associate; and

(2) The jurisdiction requires that the licensee, certificand, or registrant has passed the EPPP; and

(3) For applicants seeking temporary licensure as a psychologist:

(A) That the jurisdiction requires, as a condition for licensure, certification, or registration as a psychologist, that all applicants either:

(i) Successfully pass an oral examination; or

(ii) Complete two years of supervised experience in the field of psychological services, at least one year of which must have been received after the conferring of the doctoral degree; and

(B) That the jurisdiction permits all psychologists so licensed, certified, or registered to engage in the independent practice of psychology.

(b) In addition to establishing that the jurisdiction in which the applicant is currently licensed, certified, or registered meets the criteria set forth in subsection (a) of this section, an applicant for temporary licensure or certification must also show:

(1) If the applicant is applying for a temporary license as a psychological associate:

(A) That the applicant has a master's degree of at least forty-two semester hours from a program which is primarily psychological in nature from a regionally accredited university or college; and

(B) That the applicant has passed the EPPP at a 55% level or greater; and

(C) That the applicant completed prior to licensure, certification or registration at least 450 hours of a practicum, internship or work experience in psychology under the supervision of a qualified psychologist.

(2) If the applicant is applying for temporary certification as a psychologist:

(A) That the applicant has completed a doctoral degree in psychology from a regionally accredited institution; and

(B) That the applicant has passed the EPPP at a 70% level or greater.

(3) If the applicant is applying for temporary licensure as a psychologist, that, in addition to meeting all requirements set forth in paragraph 2 of this subsection for temporary certification as a psychologist, the applicant has either:

(A) Completed two years of supervised experience in the field of psychological services, at least one year of which must have been received after the conferring of the doctoral degree; or

(B) Taken and passed an oral examination for the purposes of licensure as a psychologist in a jurisdiction whose requirements are substantially equal to those prescribed under this Act as defined in subsection (a) of this section.

(c) An applicant for temporary licensure is responsible for providing the Board with the most current requirements from the jurisdiction in which the applicant is currently licensed, certified, or registered for purposes of establishing that the jurisdiction's requirements for licensure, certification, or registration are substantially equal to those prescribed by this Act as defined in this rule.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706305

Sherry L. Lee

Executive Director

Texas State Board of Examiners of Psychologists

Effective date: June 2, 1997

Proposal publication date: March 11, 1997

For further information, please call: (512) 305-7700



Chapter 465. Rules of Practice

22 TAC §465.22

The Texas State Board of Examiners of Psychologists adopts an amendment to §465.22, concerning Psychological Records, without changes to the proposed text as published in the March 11, 1997, issue of the *Texas Register* (22 TexReg 2568).

The rule is being amended to clarify the special requirements for retention of records within the public school districts of the State of Texas.

The amendment will ensure that all federal and state laws regarding psychological and educational records in schools are followed by licensees of the Board.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, 4512c, which provide the Texas State Board of Examiners of Psychologists with the authority to promulgate rules consistent with the statute.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706306

Sherry L. Lee

Executive Director

Texas State Board of Examiners of Psychologists

Effective date: June 2, 1997

Proposal publication date: March 11, 1997

For further information, please call: (512) 305-7700

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TITLE 37. PUBLIC SAFETY AND CORRECTIONS

Part I. Texas Department of Public Safety

Chapter 15. Drivers License Rules

Examination Requirements

37 TAC §15.55

The Texas Department of Public Safety adopts an amendment to §15.55, concerning examination requirements, without changes to the proposed text as published in the April 4, 1997, issue of the *Texas Register* (22 TexReg 3287).

The justification for the amendment will be waiving of the skills test when presenting Form DE-964E.

Paragraph (2) is amended to include Form DE-964E as being accepted for waiving of the skills test by applicants.

No comments were received regarding adoption of the amendment.

The amendment is proposed pursuant to Texas Government Code, §411.006(4), which authorizes the director of the Department of Public Safety to adopt rules, subject to commission approval, considered necessary for the control of the department.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 7, 1997.

TRD-9706307

Dudley M. Thomas
Director

Texas Department of Public Safety

Effective date: June 12, 1997

Proposal publication date: April 4, 1997

For further information, please call: (512) 424-2890

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TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part XIX. Texas Department of Protective and Regulatory Services

Chapter 715. Day Care Licensing

Subchapter E. Minimum Standards for Day Care Centers

40 TAC §715.412, 715.417, 715.421

The Texas Department of Protective and Regulatory Services (TDPRS) adopts the repeal of §715.417; amendments to §715.412 and §715.421; and new §715.417 without changes

to the proposed text as published in the March 14, 1997, issue of the *Texas Register* (22 TexReg 2735). The proposed text will not be republished.

The justification for the repeal, amendments, and new section is to reflect the changes in the availability and affordability of day care, creating a balance between costs and risk to children. After consideration of the comments summarized below, the economic impact study performed by Tonn and Associates Inc., and the survey performed by the department, the Texas Department of Protective and Regulatory Services Board (Board) is of the opinion that these changes are necessary to allow parents to obtain affordable child care. The Board also believes that these changes will not significantly reduce the protection for children afforded by the 1995 revised standards, which were scheduled to go into effect on September 1, 1997.

The repeal, amendments, and new section will function by ensuring that cost for child day care and the risk to children will be minimized. Day care will be made more affordable and children's needs for safety, health, and welfare will be protected. These adopted sections raise the child/staff ratios listed in the revised 1995 rules which were scheduled to go into effect September, 1997. The adopted ratios will be the same as those in the 1985 standards currently in effect, with the exception of the 18 month and younger aged child, for whom child/staff ratios will be lower. There are exceptions in the square footage requirements for children under 18 months, which are the only changed square footage requirements, if facilities can demonstrate that the property easement, deed restrictions, building code or fire code restrictions prohibit compliance.

While no comments were received based upon the publication of the proposed rules in the *Texas Register*, numerous comments were received through a survey conducted by the department and from the mailing of the proposed rules to all licensees.

The Cost Impact Analysis on Licensed Child Care Centers survey was designed to gather information regarding the impact of the Revised 1995 Standards, the Proposed Standards and the minimum wage increase. PRS contracted with the Statistical Service Corporation of Austin to process the data compiled from the survey. Data from the survey is summarized below:

In the area of availability, the study found that under the revised 1995 ratios, providers reported that they would gain an average of .91 children and .16 staff per center for a statewide estimate of 6,669 additional children in care. With the proposed child/staff ratios, providers reported that they would have an average gain of 4.66 children and .10 staff, for a statewide gain of 34,153 additional children in care.

Of particular concern had been the availability of infant care. The study showed that under both sets of standards, 15 centers, or 1.8% would eliminate care for children 0-11 months old. Some of these centers showed they would add children in the 12-17 month age group, indicating they may plan to eliminate the younger age child through attrition as children move into the older group. In addition, 5-6 centers, or .7% reported adding care for children 0-11 months old.

In the area of affordability, providers reported that under the revised 1995 ratios they would gain an average of \$71 in revenue per week, for a statewide estimate of \$516,841 additional revenue. Using the proposed ratios, providers reported an average gain of \$335 in revenue per week, for a statewide estimate of \$2,453,676 in additional revenue.

Comments received through the survey and otherwise are summarized below:

Comments concerning square footage: Some commenters were concerned that at the time of sale, there may be a devaluing of income projections because there would be less footage available for the care of 18 month and younger age children.

Response to comments concerning square footage: The Board recognized that there may ultimately be some cost to the changes in the square foot requirements for children 18 months and younger. In considering the need for affordable day care, the concerns of the providers and the need to protect children, the Board believes these proposed sections afford the best possible balance. Exceptions to compliance were built into the rules allowing facilities licensed prior to September 1, 1997, to demonstrate that the property easement, deed restriction, building code or fire code restrictions would prohibit compliance.

Comments regarding ratios: Concern was expressed that if the ratios go up from the 1985 standards (the ratios in effect until September of 1997), the providers will have to pay more, especially since the minimum wage has gone up. This could cause more parents to be unable to afford child care and to leave their children in unlicensed care, which would create a danger to children. One commenter stated that it was easier to work with a group of 15 to 17 rather than 13 three year old children in one group because the older children set a good example for the younger children. One respondent suggested that the proposed standards include an "emergency clause" for dealing with times when substitute staff are not available.

Most of the commenters stated that they were already meeting or exceeding both the revised 1995 and proposed rules, were paying child care staff more than the minimum wage, and would not be impacted by the proposed rules. Some commenters also stated they felt the proposed ratios would decrease child safety and that safety should not be jeopardized for profit. One commenter suggested that in large groups of children, there would be a "survival of the fittest."

Response concerning ratios: The Board does not believe it can include an "emergency clause" as this would decrease child safety. The Board believes that the ratios in these proposed sections strike an appropriate balance between the increased costs and the protection needed for children. The proposed rules do not raise child/staff ratios from the 1985 standards that

are currently in effect, with the exception of the 18 month and younger age child, where adult-child interaction is most crucial to development.

Agreement was reached by the Texas Association for the Education of Young Children and the Texas Licensed Child Care Association for the adoption of the proposed rules. The Child Care Development Association of Texas, Inc. did not support the adopted rules in the area of ratios for the 18 month and younger age child and the square footage requirements for the 18 month old and younger child.

The amendments and new section are adopted under the Human Resources Code (HRC), Chapters 40 and 42, which describe the department's regulatory and rulemaking authority.

The amendments and new section implement HRC, Chapters 40 and 42.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706290

C. Ed Davis

Deputy Director, Legal Services

Texas Department of Protective and Regulatory Services

Effective date: September 1, 1997

Proposal publication date: March 14, 1997

For further information, please call: (512) 438-3765

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40 TAC §715.417

The repeal is adopted under the Human Resources Code (HRC), Chapters 40 and 42, which describe the department's regulatory and rulemaking authority.

The repeal implements HRC, Chapters 40 and 42.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 13, 1997.

TRD-9706289

C. Ed Davis

Deputy Director, Legal Services

Texas Department of Protective and Regulatory Services

Effective date: September 1, 1997

Proposal publication date: March 14, 1997

For further information, please call: (512) 438-3765

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TEXAS DEPARTMENT OF INSURANCE

Notification Pursuant to the Insurance Code, Chapter 5, Subchapter L

As required by the Insurance Code, Article 5.96 and 5.97, the *Texas Register* publishes notice of proposed actions by the Texas Board of Insurance. Notice of action proposed under Article 5.96 must be published in the *Texas Register* not later than the 30th day before the board adopts the proposal. Notice of action proposed under Article 5.97 must be published in the *Texas Register* not later than the 10th day before the Board of Insurance adopts the proposal. The Administrative Procedure Act, the Government Code, Chapters 2001 and 2002, does not apply to board action under Articles 5.96 and 5.97.

The complete text of the proposal summarized here may be examined in the offices of the Texas Department of Insurance, 333 Guadalupe Street, Austin, Texas 78714-9104.)

This notification is made pursuant to the Insurance Code, Article 5.96, which exempts it from the requirements of the Administrative Procedure Act.

PROPOSED ACTION

The Commissioner of Insurance or his designee at a public hearing under Docket Number 2294, scheduled for June 24, 1997, at 10:00 a.m. in Room 100 of the William P. Hobby Jr. State Office Building, 333 Guadalupe Street in Austin, Texas, will consider amendments to Part One Section I. A. 13. and Part Two Section I. E. and F. of the Texas Retrospective Rating Plan Manual (Manual). These recommended changes are necessary in order to establish the only allowable method for calculating the Residual Market Premium. (RMP).

The proposed amendments to Part One Section I. A. 13. change the General Explanation of RMP to be consistent with the changes proposed in Part Two Section I. E.

The proposed amendments to Part Two Section I. E. establish the only allowable method for calculating RMP. RMP is a proportion of either the deficit assessed or the surplus rebated to the member companies of the Texas Workers' Compensation Insurance Facility (Facility) based on its operating results. The Texas Workers' Compensation (WC) retrospective premium for certain retrospectively rated policies effective on or after May 1, 1991 through December 31, 1994 is the basis for determining RMP to be returned to or collected from policyholders. For the purposes of this rule, an assessment results in an additional premium charge to the policyholder and a surplus results in a refund to the policyholder. The Texas Department of Insurance shall publish a Residual Market Factor (RMF) for 1991, 1992, 1993 and 1994. Each RMF shall be determined by dividing the Total Assessed or Rebated Texas WC Residual Market Deficit or Surplus for the Accident Year by the Total Assessable Texas WC Voluntary Written Premium for the year to which the deficit or surplus relate. The insurance carriers shall then calculate each policyholder's RMP by applying the RMF for the appropriate year to the policyholder's Texas WC retrospective premium.

The proposed amendments set forth the process to determine the proportionate share of the Facility's surplus for those policyholders with retrospectively rated policies effective from May 1, 1991 through December 31, 1991 that elected to pay the residual market premium as an additional elective element in addition to the retrospective

premium and for those policyholders with retrospectively rated policies effective in calendar year 1992, 1993 and 1994. The proposed amendments provide that if the latest retrospective premium computation is the final adjustment, the RMP calculated on that adjustment is final and no further adjustment of the retrospective premium or the RMP shall be made, except as permitted in the Manual for clerical error. In the proposal, if the latest retrospective premium computation is being held open for further adjustment, the RMP will be recalculated after each computation of retrospective premium. If the RMP is different than previously calculated, the difference shall be returned to or collected from the policyholder accordingly. In a three-year plan or Long Term Construction Project plan, the RMF shall apply separately to each annual period as if the plan was written on one-year plans.

The proposed amendments require each insurance carrier to calculate and return the appropriate RMP for each retrospectively rated policyholder no later than ninety days after the effective date of this rule. In addition, each insurance carrier is required to file with the Deputy Commissioner of WC of the TDI a report indicating the names of all retrospectively rated risks receiving a surplus refund, the amount of the surplus refund each received and the date the surplus refund was sent to each policyholder.

The proposed amendments to Part Two Section I. F. are editorial in nature to delete unnecessary wording.

The staff requests that the proposed amendments to Part One, Section I. A. 13 and Part Two, Section I E. and F. be adopted with an effective date of 15 days after notice of adoption is published in the *Texas Register*.

The Commissioner has jurisdiction over this matter pursuant to Insurance Code, Articles 5.76-2 Section 4.04 (d) and (e), 5.77 and 5.96.

A copy of the amendments containing the full text of the proposed amendments is available for review in the Office of the Chief Clerk of the Texas Department of Insurance, 333 Guadalupe Street, Austin, Texas 78714-9092. For further information or to request copies of the amendments, please contact Ms. Angie Arizpe (512) 322-4147, (refer to Ref. Number W-0597-14-I).

The staff and the Commissioner request that written comments to these proposed amendments be submitted prior to the public hearing on June 24, 1997. The written comments should be directed to Caroline Scott, General Counsel and Chief Clerk, Texas Department of Insurance, P. O. Box 149104, MC 113-2A, Austin, Texas 78714-9092. An additional copy of the comments is to be submitted to Nancy Moore, Deputy Commissioner Workers' Compensation, Texas Department of Insurance, P. O. Box 149092, Austin, Texas 78714-9092. Public testimony at the hearing on June 24, 1997, is also invited and encouraged.

This notification is made pursuant to the Insurance Code, Article 5.96, which exempts it from the requirements of the Government Code, Chapter 2001 (Administrative Procedure Act).

The agency hereby certifies that the proposal has been reviewed by the legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on May 14, 1997.

TRD-9706372

Caroline Scott

General Counsel and Chief Clerk

Texas Department of Insurance

Filed: May 14, 1997

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TABLES & GRAPHICS

Graphic material from the emergency, proposed, and adopted sections is published separately in this tables and graphics section. Graphic material is arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic material is indicated in the text of the emergency, proposed, and adopted rules by the following tag: the word "Figure" followed by the TAC citation, rule number, and the appropriate subsection, paragraph, subparagraph, and so on. Multiple graphics in a rule are designated as "Figure 1" followed by the TAC citation, "Figure 2" followed by the TAC citation.

Graphic Material will not be reproduced in the Acrobat version of this issue of the *Texas Register* due to the large volume. To obtain a copy of the material please contact the Texas Register office at (512) 463-5561 or (800) 226-7199.

OPEN MEETINGS

Agencies with statewide jurisdiction must give at least seven days notice before an impending meeting. Institutions of higher education or political subdivisions covering all or part of four or more counties (regional agencies) must post notice at least 72 hours before a scheduled meeting time. Some notices may be received too late to be published before the meeting is held, but all notices are published in the ***Texas Register***.

Emergency meetings and agendas. Any of the governmental entities listed above must have notice of an emergency meeting, an emergency revision to an agenda, and the reason for such emergency posted for at least two hours before the meeting is convened. All emergency meeting notices filed by governmental agencies will be published.

Posting of open meeting notices. All notices are posted on the bulletin board at the main office of the Secretary of State in lobby of the James Earl Rudder Building, 1019 Brazos, Austin. These notices may contain a more detailed agenda than what is published in the ***Texas Register***.

Meeting Accessibility. Under the Americans with Disabilities Act, an individual with a disability must have an equal opportunity for effective communication and participation in public meetings. Upon request, agencies must provide auxiliary aids and services, such as interpreters for the deaf and hearing impaired, readers, large print or braille documents. In determining type of auxiliary aid or service, agencies must give primary consideration to the individual's request. Those requesting auxiliary aids or services should notify the contact person listed on the meeting summary several days prior to the meeting by mail, telephone, or RELAY Texas (1-800-735-2989).

State Office of Administrative Hearings

Thursday, July 17, 1997, 9:00 a.m.

1700 North Congress Avenue

Austin

Utility Division

AGENDA:

A Hearing on the Merits is scheduled for the above date and time in SOAH DOCKET Number 473-97-0926-Application of SOUTHWESTERN BELL TELEPHONE COMPANY for Approval of Non-Rate Affecting Tariff Changes in its General Exchange Tariff, §23, Pursuant to PURA 95 §3.353(D) (PUC Docket Number 17112).

Contact: William G. Newchurch, 300 West 15th Street, Suite 502, Austin, Texas 78701-1649, (512) 936-0728.

Filed: May 14, 1997, 4:43 p.m.

TRD-9706371



Texas Agricultural Experiment Station

Tuesday, May 27, 1997, 10:00 a.m.

Room 230, Memorial Student Center (MSC), Texas A&M University
College Station

Texas Equine Research Account Advisory Committee

AGENDA:

Receive 1997 Annual Conference report. Review 1998 Annual Conference Committee report. Discuss future conferences. Receive update of racing in Texas from the Texas Racing Commission. Hear update on legislative activities. Discuss research priorities for which proposals will be solicited.

Contact: Frank E. Gilstrap, Texas Agricultural Experiment Station, College Station, Texas 77843-2147, (409) 845-7980.

Filed: May 14, 1997, 2:23 p.m.

TRD-9706349



Texas Department of Agriculture

Tuesday, June 10, 1997, 10:30 a.m.

Texas Department of Agriculture, 2626 South Loop West, Suite 130
Houston

AGENDA:

Administrative hearing to review alleged violation of Texas Agriculture Code Annotated §§103.001-.015 (Vernon Supplement 1997) by Val-Cor as petitioned by Winter Garden Produce.

Contact: Joyce Arnold, P.O. Box 12847, Austin, Texas 78711, (512) 475-1668.

Filed: May 14, 1997, 2:34 p.m.

TRD-9706354



Tuesday, June 10, 1997, 1:30 p.m.

Texas Department of Agriculture, 2626 South Loop West, Suite 130
Houston

AGENDA:

Administrative hearing to review alleged violation of Texas Agriculture Code Annotated §§103.001-.015 (Vernon Supplement 1997) by Winter Garden Produce as petitioned by Val-Cor.

Contact: Joyce Arnold, P.O. Box 12847, Austin, Texas 78711, (512) 475-1668.

Filed: May 14, 1997, 2:34 p.m.

TRD-9706353



Wednesday, June 11, 1997, 10:00 a.m.

Texas Department of Agriculture, 2626 South Loop West, Suite 130

Houston

AGENDA:

Administrative hearing to review alleged violation of Texas Agriculture Code Annotated §§103.001-.015 (Vernon Supplement 1997) by Kingwood Farmers Market as petitioned by Val-Cor.

Contact: Joyce Arnold, P.O. Box 12847, Austin, Texas 78711, (512) 475-1668.

Filed: May 14, 1997, 2:34 p.m.

TRD-9706352

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Texas Commission on Alcohol and Drug Abuse (TCADA)

Monday, June 2, 1997, 3:00 p.m.

1323 58th Street, South Plains Association of Governments

Lubbock

Regional Advisory Consortium (RAC), Region One

AGENDA:

Call to order; welcome and introductions of guests; approval of minutes; input on regional allocation formula for female services; development of service priorities for female services; old business; new business; public comment; and adjourn.

Contact: Heather Harris, 9001 North IH35, Suite 105, Austin, Texas 78753, (512) 349-6669.

Filed: May 15, 1997, 9:39 a.m.

TRD-9706381

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Wednesday, June 4, 1997, 11:00 a.m.

150 Orange Street, Serenity Foundation of Texas

Abilene

Regional Advisory Consortium (RAC), Region Two

AGENDA:

Call to order; welcome and introductions of guests; approval of minutes; TCADA update and comments; input on regional allocation formula for female services; development of service priorities for female services; old business; new business; public comment; and adjourn.

Contact: Heather Harris, 9001 North IH35, Suite 105, Austin, Texas 78753, (512) 349-6669.

Filed: May 15, 1997, 9:39 a.m.

TRD-9706382

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Tuesday, June 10, 1997, 1:00 p.m.

3804 Riverside Trail, Christian Farms- Treehouse

Temple

Regional Advisory Consortium (RAC), Region Seven

AGENDA:

Call to order; welcome and introductions of guests; approval of minutes; input on the regional allocation formula for female services; development of service priorities for female services; old business; new business; public comment; and adjourn.

Contact: Heather Harris, 9001 North IH35, Suite 105, Austin, Texas 78753, (512) 349-6669.

Filed: May 15, 1997, 9:40 a.m.

TRD-9706383

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Texas Commission on the Arts

Thursday, June 5, 1997, 9:00 a.m.

UT Alumni Center, 2110 San Jacinto

Austin

Assistance Review Committee

AGENDA:

I. Call to Order

II. Roll Call

III. Public Hearing

IV. Approval of Minutes for May 29, 1996 Meeting

V. Tourism Initiative

VI. 1998 Peer Panelist Nominations Report

VII. Review of FY 1998 Overview and Grant Application Rankings

A) Advancement and Services

B) Community Assistance and Services

C) Community Arts Partners

D) Initiatives

E) Education

F) Touring

VIII. Other Business

IX. Adjourn

Contact: Deborah Cole, P.O. Box 13406, Austin, Texas, 78711-3406, (512) 463-5535, extension 42327.

Filed: May 16, 1997, p.m. 4:16 p.m.

TRD-9706581

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Friday, June 6, 1997, 8:30 a.m.

UT Alumni Center, 2110 San Jacinto

Austin

Administration Committee

AGENDA:

I. Call to Order

II. Roll Call

III. Public Hearing

IV. Approval of Minutes for December 5, 1996 Meeting

V. Financial Statement FY'97

VI. TexPool Investment Update

VII. Legislative Appropriations Report

IX. Other Business

X. Executive Session-Personnel

XI. Adjourn

Contact: Deborah Cole, P.O. Box 13406, Austin, Texas 78711-3406
(512) 463-5535, extension 42327.

Filed: May 16, 1997, p.m. 4:17 p.m.

TRD-9706583

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Friday, June 6, 1997, 10:00 a.m.

UT Alumni Center, 2110 San Jacinto

Austin

Commission

AGENDA:

I. Call to Order

II. Roll Call

III. Public Hearing

IV. Items for Commission Consent

A) Approval of Minutes for March 6, 1997

B) Assistance Review Committee

C) Administrative Committee

D) Nominating Committee

E) Financial Statement FY'97

F) Appropriations Update

G) TCQAE Statewide Partner status

H) Other Business

V. Items for Information Only

A) Cultural Trust Council Update

B) Director's Report

C) TCAnet Report

D) Arts Education Day at the Capitol

E) General Meetings Schedule

F) Commission and Staff Rosters

G) Other Business

VI. Adjourn

Contact: Deborah Cole, P.O. Box 13406, Austin, Texas 78711-3406
(512) 463-5535, extension 42327.

Filed: May 16, 1997, p.m. 4:16 p.m.

TRD-9706582

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Texas Bond Review Board

Thursday, May 22, 1997, 10:00 a.m.

Clements Building, Committee Room Five, Fifth Floor

300 West 15th Street

Austin

AGENDA:

I. Call to Order

II. Approval of Minutes

III. Consideration of Proposed Issues

A. Texas Public Finance Authority- building revenue bonds for a state office building in El Paso and improvements at the Texas School for the Deaf in Austin

B. University of North Texas- financing of repairs and renovation to athletic stadium and housing system

C. University of North Texas- financing of performance contract for update of energy management systems

IV. Other Business

A. Approval of agency voucher in excess of \$10,000 for printing costs

B. Scheduling meeting dates for June and July

C. Discussion of training seminars on local debt issuance and local debt management

D. Discussion of legislative actions/schedules

V. Adjourn

Contact: Albert L. Bacarisse, 300 West 15th Street, Suite 409, Austin, Texas 78701, (512) 463-1741.

Filed: May 14, 1997, 1:20 p.m.

TRD-9706346

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Texas Board of Chiropractic Examiners

Thursday, June 5, 1997, 9:30 a.m.

333 Guadalupe, Tower III, Suite 825

Austin

Enforcement Committee

AGENDA:

The Enforcement Committee of the Texas Board of Chiropractic Examiners will meet on Thursday, June 5, 1997 at 9:30 to consider, discuss, and take any appropriate action on: INFORMAL Hearings on cases 97-94, 97-97, 97-106, 97-112, 97-113, 97-114, and 97-94, also cases to be reviewed are 94-29, 94-64, 95-5, 95-6, 95-8, 95-9, 95-10, 95-11, 95-70, 95-81, 95-191, 95-195, 95-324, 96-01, 96-80, 96-161, 96-206, 96-238, 97-01, 97-12, 97-36, 97-39, 97-40, 97-41, 97-42, 97-43, 97-44, 95-45, 97-46, 97-53, 97-58, 97-67, 97-70, 97-75, 97-80, 97-82, 97-85, 97-87, 97-90, 97-91, 97-95, 97-96, 97-98, 97-99, 97-100, 97-103, 97-107, 97-109, 97-

115, 97-120, 97-121, 97-122, 97-123, 97-124, 97-126, 97-127, 97-128, 97-134 through 97-165.

Contact: Patte B. Kent, 333 Guadalupe, Tower III, Suite 825, Austin, Texas 78701, (512) 305-6700.

Filed: May 14, 1997, 3:48 p.m.

TRD-9706364

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Advisory Commission on State Emergency Communications

Thursday, May 29, 1997 at 9:30 a.m.

333 Guadalupe Street, Room 100

Austin

Planning and Implementation

AGENDA:

The Committee will Call the Meeting to Order and Recognize Guests; Hear Public Comment; Hear Reports, Discuss and take Committee Action, as Necessary; Responses to 911 Service Survey; Centralized Data Base Management and Network Configuration; Approval of April 16, 1997 Committee Meeting Minutes; The Committee may meet in Executive Session on any of the above items as authorized by the Texas Open Meetings Act, and pursuant to Government Code 551, Subchapter D. Adjourn.

Persons requesting interpreter services for the hearing-and speech-impaired should contact Velia Williams at (512) 305-6933 at least two working days prior to the meeting.

Contact: Velia Williams, ACSEC, 333 Guadalupe Street, Austin, Texas 78701, (512) 305-6933.

Filed: May 19, 1997, 8:09 a.m.

TRD-9706590

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Friday, May 30, 1997 at 10:00 a.m.

333 Guadalupe Street, Room 1250A

Austin

Executive Committee

AGENDA:

The Committee will Call the Meeting to Order and Recognize Guests; Hear Public Comment; Hear Reports, Discuss and take Committee Action, as Necessary; Review of Councils of Government for Possible Reallocation of Funds- East Texas Council of Government, Nortex Regional Planning Commission, Rio Grande Council of Governments, Deep East Texas Council of Governments, Middle Rio Grande Development Council, Panhandle Regional Planning Commission, Texoma council of Governments, Permian Basin Regional Planning Commission. Adjourn.

Persons requesting interpreter services for the hearing-and speech-impaired should contact Velia Williams at (512) 305-6933 at least two working days prior to the meeting.

Contact: Velia Williams, ACSEC, 333 Guadalupe Street, Austin, Texas 78701, (512) 305-6933.

Filed: May 19, 1997, 8:26 a.m.

TRD-9706592

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State Employee Charitable Campaign

Thursday, May 29, 1997, 10:00 a.m.

2433 Ridgepoint Drive, Room 224

Austin

State Policy Committee

AGENDA:

1. Call to order
2. Approval of Minutes
3. Local Employee Chair Nominees
4. State Advisory Committee Report
5. Local Campaign Areas
6. Local Presence Definition
7. Local Eligibility Appeals Review
8. Local Campaign Materials Review
9. State Campaign Manager's Report
10. Committee Reports
11. SPC Chair's Report
12. Other Business
13. Adjourn

Contact: Mike Terry, 823 Congress Avenue, Suite 1103, Austin, Texas 78701, (512) 478-6601, fax; (512) 478-2572.

Filed: May 14, 1997, 4:02 p.m.

TRD-9706367

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Tuesday, June 24, 1997, 9:00 a.m.

UT Permian Basin- C.E.E.D., SH 191 and FM 1788

Odessa

Local Employee Committee, Midland/Odessa

AGENDA:

1. Call to order
2. Reading of Minutes of April 30, 1997 and May 13, 1997
3. Review and approve final form of campaign brochure and related materials
4. Continue review and refinement of campaign strategies, goals and timelines
5. Review campaign budget and expenses to date
6. Adjourn

Contact: Percy Symonette, 1209 West Wall Street, Midland, Texas 79701, (915) 685-7700.

Filed: May 14, 1997, 4:02 p.m.

TRD-9706366

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General Services Commission

Tuesday, May 27, 1997, 9:30 a.m.

Central Services Building, 1711 San Jacinto, Room 402

Austin

AGENDA:

1) Consideration of Adoption of Resolution to Reimburse Expenses Relating to the Texas School for the Deaf Construction Project with Tax Exempt Bond Proceeds; 2) Consideration of a Memorandum of Understanding between the Aircraft Pooling Board, General Services Commission, the Texas National Guard Armory Board and the City of Austin, Texas, relating to relocation of the Aircraft Pooling Board; 3) Consideration of License Agreement with City of Austin for the Robert E. Johnson project; 4) Consideration of proposed change orders- various projects; 5) Program Issues; Executive Session to consider personnel matters pursuant to the provisions of Texas Government Code, §551.074; Executive Session to consider the status of the purchase of real property pursuant to the provisions of Texas Government Code §551.072; Executive Session to consult with Legal Counsel concerning pending litigation pursuant to the provisions of Texas Government Code, §551.071.

Contact: Judy Ponder, 1711 San Jacinto, Austin, Texas 78701, (512) 463-3960.

Filed: May 16, 1997, 2:51 p.m.

TRD-9706560

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Texas Historical Commission

Thursday, May 29, 1997, 2:00 p.m.

Austin Marriott at the Capitol, 701 East 11th Street, Allie's American Grille Cafe, Second Floor

Austin

Historic and Military Sites Committee

AGENDA:

1. Introduction of Military Sites Program Coordinator
2. Nineteenth-Century Texas Military Sites Conference Proceedings
3. 75th Legislative Appropriation for Military Sites Program
4. Current Program Activities
5. Update on Historic Sites Legislation

Contact: Stan Graves/Lisa Harvell, P.O. Box 12276, Austin, Texas 78711, (512) 463-6094.

Filed: May 16, 1997, 10:59 a.m.

TRD-9706526

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Thursday, May 29, 1997, 3:00 p.m.

Austin Marriott at the Capitol, 701 East 11th Street, Allie's American Grille Cafe, Second Floor

Austin

Texas Preservation Trust Fund and Architecture Program Committee

AGENDA:

1. Appointments to the Advisory board of the Texas Preservation Trust Fund
2. Status of the Guardians of the Texas Preservation Trust Fund
3. Texas Preservation Trust Fund Grant Program Update
4. Architecture Program Update

Contact: Stan Graves/Lisa Harvell, P.O. Box 12276, Austin, Texas 78711, (512) 463-6094.

Filed: May 16, 1997, 10:59 a.m.

TRD-9706525

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Thursday, May 29, 1997, 4:00 p.m.

Austin Marriott at the Capitol, 701 East 11th Street, Allie's American Grille Cafe, Second Floor

Austin

Economic Development and Heritage Tourism Committee

AGENDA:

1. Call to order.
2. Approval of minutes of January 30, 1997 meeting.
3. Update on Texas Main Street Program.
4. Update on Regional and International History Programs.
5. Other business.
6. Adjourn.

Contact: Janie Headrick, P.O. Box 12276, Austin, Texas 78711, (512) 463-6092.

Filed: May 16, 1997, 10:59 a.m.

TRD-9706524

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Friday, May 30, 1997, 7:30 a.m.

Austin Marriott at the Capitol, 701 East 11th Street, Capitol Suite F
Austin

Executive Committee

AGENDA:

- I. Call to order.
- II. New Appointments to the Commission.
- III. Legislative Issues and 1998/99 Budget.
- IV. 1996 Governor's Award.
- V. Mission San Juan Burials.
- VI. Morris County Courthouse
- VII. Qualifications for Architects and Archeologists
- VIII. Report on Shipwreck Project
- IX. Other Business.

Contact: Marlene Casarez, P.O. Box 12276, Austin, Texas 78711,
(512) 463-6100.

Filed: May 16, 1997, 10:59 a.m.

TRD-9706523

Friday, May 30, 1997, 2:00 p.m.

Austin Marriott at the Capitol, Capitol Suites F-H, 701 East 11th
Street

Austin

Quarterly Board Meeting

AGENDA:

I. Chairman's Report

II. Action Items

III. Information Items

IV. Division Reports

Contact: Marlene Casarez, P.O. Box 12276, Austin, Texas 78711,
(512) 463-5768.

Filed: May 16, 1997, 10:58 a.m.

TRD-9706522

Texas Department of Insurance

Monday, June 2, 1997, 9:00 a.m.

Stephen F. Austin Building, 1700 North Congress Avenue, Suite 1100

Austin

AGENDA:

Docket Number 454-97-0763.A. In the Matter of the Acquisition of
the Texas Workers' Compensation Insurance Facility.

Contact: Bernice Ross, 333 Guadalupe Street, Mail Code 113-2A,
Austin, Texas 78701, (512) 463-6328.

Filed: May 19, 1997, 9:45 a.m.

TRD-9706602

Wednesday, June 4, 1997, 9:00 a.m.

Stephen F. Austin Building, 1700 North Congress Avenue, Suite 1100

Austin

AGENDA:

Docket Number 454-97-0896.C: To consider whether disciplinary
action should be taken against PHILLIP DEBBS MORRIS, Flower
Mound, Texas, who holds a Group I Legal Reserve Life Insurance
Agent's License and a Group II Agent's License and a Local
Recording Agent's License issued by the Texas Department of
Insurance.

Contact: Bernice Ross, 333 Guadalupe Street, Mail Code 113-2A,
Austin, Texas 78701, (512) 463-6328.

Filed: May 19, 1997, 9:45 a.m.

TRD-9706603

Texas Lottery Commission

Thursday, May 22, 1997, 10:00 a.m.

611 East Sixth Street, Grant Building, Room 439

Austin

Bingo Advisory Committee

AGENDA:

1. Call the meeting to order;

2. Consideration and possible approval of the minutes of the March
31, 1997 Committee Meeting;

3. Report on the May 9, 1997 Texas Lottery Commission meeting
on matters relating to Charitable Bingo;

4. Status of 1997-98 Bingo Advisory Committee Appointments;

5. Consideration, public comment, and possible action on Senate Bill
432;

6. Consideration, public comment, and possible action on House Bill
2086;

7. Consideration, public comment, and possible action on House Bill
3371;

8. Consideration, public comment, and possible action on proposed
bingo related legislation;

9. Update and possible discussion on the status of approval electronic
gaming machines;

10. Update and possible discussion on services provided by Licensed
system Service Providers;

11. Consideration and public comment regarding the needs and
concerns of the State's charitable bingo industry;

12. Review agenda items for future Bingo Advisory Committee
meetings; and

13. Adjourn

For ADA assistance, call Worlanda Neal at 344-5120 at least two
days prior to meeting.

Contact: Kimberly L. Kiplin, P.O. Box 16630, Austin, Texas 78761,
(512) 344-5132.

Filed: May 14, 1997, 3:48 p.m.

TRD-9706362

Texas Natural Resource Conservation Commis- sion

Monday, May 26, 1997, 8:30 a.m.

Room 4222, Building F, 12100 Park 35 Circle

Austin

AGENDA:

The Commission will meet in Executive Session.

Contact: Doug Kitts, 12100 Park 35 Circle, Austin, Texas 78753,
(512) 239-3317.
Filed: May 16, 1997, 3:16 p.m.
TRD-9706564

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Board of Nurse Examiners

Thursday, May 22, 1997, 8:00 a.m.
333 Guadalupe, Tower 2, Room 225
Austin
EMERGENCY REVISED AGENDA

AGENDA:

Under 3.4; EDUCATION/EXAMINATION, add 3.4.10. Update
Report on Abilene Intercollegiate School of Nursing, APN program.
REASON FOR EMERGENCY: This item was inadvertently omitted
from the agenda previously filed.

Contact: Erlene Fisher, Box 430, Austin, Texas 78767, (512) 305-
6811.
Filed: May 16, 1997, 11:02 a.m.
TRD-9706531

◆ ◆ ◆
Texas Pension Review Board

Tuesday, May 27, 1997, 1:00 p.m., Rescheduled from 1:30
p.m.
State Capitol Extension, Committee Room E1.016
Austin
AGENDA:

1. Meeting Called to Order
2. Roll Call
3. Reading and Adoption of Minutes of Previous Meeting
4. Discussion and Action on City of Dallas Employees Retirement
Fund-Report from Actuarial Committee — Chair Leonard Cargill
5. Discussion and Authorization for Fall Conference
6. Discussion and Possible Action on Establishing Committee to
Write Ethics Policy for PRB Members and Staff
7. Update on Legislative Activities — Legislative Advisory Com-
mittee — Chair Bruce Cox
8. Committee Reports with Possible Action
 - A. Administration — Chair Bruce Cox (Rita Horwitz)
 - B. Research — (Kevin Deiters)
 - C. Actuarial- Chair Leonard Cargill
 1. Compliance Update (Ginger Smith)
 - D. Communications — (Kevin Deiters)
 - E. Legislative — Chair Bruce Cox (Rita Horwitz)
9. Set Date and Location for Next Board Meeting

10. Election of PRB Officers
11. Old Business
12. Announcements and Invitation for Audience Participation
13. Executive Director's Report
14. Chairman's Report
15. Adjourn

Contact: Lynda Baker, P.O. Box 13498, Austin, Texas 78711, (512)
463-1737
Filed: May 16, 1997, 10:40 a.m.
TRD-9706520

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Texas State Board of Examiners of Psychologists

Wednesday, June 4, 1997, 8:00 a.m.
333 Guadalupe, Suite 2-400A
Austin

Complaints Review Committee #1

AGENDA:

Complaints Review Committee #1 of the Board will meet to discuss,
consider and vote on recommendations for disposition of various
complaints. The Committee will also go into Executive Session to
take confidential interviews concerning pending complaints pursuant
to §551.084, Texas Government Code, VTCS, 1996, as well as
Executive Session to seek legal advice pursuant to §551.071, Texas
Government Code, VTCS, 1996.

Contact: Sherry L. Lee, 333 Guadalupe, Suite 2-450, Austin, Texas
78701, (512) 305-7700.
Filed: May 19, 1997, 9:36 a.m.
TRD-9706599

◆ ◆ ◆
State Seed and Plant Board

Wednesday, June 4, 1997, 9:00 a.m.

Radisson Hotel Dallas, 1893 West Mockingbird, Executive Room
Two

Dallas

AGENDA:

Discussion and Action On: Minutes of the February 25, 1997
Meeting; Request to Discuss Systematic Distribution of Native
Species; Applicants for License as Certified Seed Growers; Name
Change for Certified Growers License; Acknowledgment of Foreign
Designations; Nomenclature Requests; Appeal of Rejected Fields;
Requests for Certification Eligibility; Certification Standards; and
Public Comment.

Contact: Charles Leamons, P.O. Box 629, Giddings, Texas 78942,
(409) 542-3691.
Filed: May 16, 1997, 11:00 a.m.
TRD-9706528

Wednesday, June 4, 1997, 1:00 p.m.

Radisson Hotel Dallas, 1893 West Mockingbird, Executive Room Two

Dallas

Seed Arbitration Board

AGENDA:

The State Seed and Plant Board, acting as the Seed Arbitration board, will discuss and take possible action on proposed procedures for processing and hearing of seed arbitration complaints.

Contact: Charles Leamons, P.O. Box 629, Giddings, Texas 78942, (409) 542-3691.

Filed: May 16, 1997, 11:00 a.m.

TRD-9706527



Texas State Soil and Water Conservation Board

Wednesday, May 28, 1997, 1:00 p.m., Continuing May 29, 1997, 8:00 a.m.

East Texas Plant Material Center, SFA Station, Agricultural Building Conference Room

Nacogdoches

AGENDA:

Review and take appropriate action on the following:

Minutes from March 12, 1997 Board meeting; District Director Appointment; Subdivision Boundary Changes for Aqua Poquita SWCD #321; Fiscal Year 1997 Allocations of Subchapter H Technical Assistance; Expenditure Report for Eight Month Period Ending April 30, 1997; 1998-1999 Legislative Appropriation Request Status Report; Allocation of Fiscal Year 1997 Technical Assistance Funds; Report on State Auditors Mock Performance Audit; Board Member Travel; Fiscal Year 1997 Conservation Assistance Allocations; Division and Reorganization of Nueces-Jim Wells-Kelberg- Kenedy SWCD #311; Legislative Update; Review Conservation Awards Program and Banquets; Appoint Planning Committee for 1997 Annual State Meeting of SWCD Directors; PL 566 Watershed Program Update; 1998 National NACD Meeting; South Central/South East Regional NACD Meeting; NACD Leadership Conference; Public Information/Education Report; Wildlife Clinic Memorandum of Understanding; Human Resources Update; §319 Status Report; Senate Bill 503 Status Report; Total Maximum Daily Load Process; North Bosque River Activities; Big Cypress Creek Water Quality Concerns; Arroyo Colorado TMDL Meeting; NASCA South East/South Central Water Quality Coordinator's Meeting; Allocation of Senate Bill 503 Cost Share Funds; Report from Association of Texas Soil and Water Conservation Districts; Reports from Agencies and Guests; Memorandum of Understanding with TNRCC; Conservation Assistance Supplemental Payments for FY 1997; Election of Officers; Next Regular State Board Meeting — July 16, 1997.

Contact: Robert G. Buckley, P.O. Box 658, Temple, Texas 76503, (817) 773-2250, TEX-AN 820-1250.

Filed: May 16, 1997, 2:53 p.m.

TRD-9706563



Teacher Retirement System of Texas

Thursday, May 22, 1997, 4:00 p.m.

1000 Red River, Room 229E

Austin

Board of Trustees Benefits Committee

AGENDA:

1. Approval of Minutes of the March 28, 1997, Meeting
2. Consideration of Benefits Committee Charter- Mr. Whittenburg

For ADA assistance, contact John R. Mercer, (512) 397-6418 or TDD (512) 397-6444 or (800) 841-4497 at least two days prior to the meeting.

Contact: John R. Mercer, 1000 Red River, Austin, Texas 78701-2698, (512) 397-6418.

Filed: May 14, 1997, 3:48 p.m.

TRD-9706360



Thursday, May 22, 1997, 4:45 p.m.

1000 Red River, Room 514E

Austin

Board of Trustees Policy Committee

AGENDA:

1. Approval of Minutes of the April 25, 1997 Meeting
2. Consideration of the TRS Investment Policy on Mid-cap and Small-cap Equities, Asset Allocation among Permittee Investment Classes, and Requirements with Respect to Indexed Portfolios
3. Consideration of the TRS Ethics Policy
4. Consideration of the TRS Code of Ethics for Consultants and Agents

For ADA assistance, contact John R. Mercer, (512) 397-6400 or TDD (512) 397-6444 or (800) 841-4497 at least two days prior to the meeting.

Contact: John R. Mercer, 1000 Red River, Austin, Texas 78701-2698, (512) 397-6400.

Filed: May 14, 1997, 3:48 p.m.

TRD-9706361



Friday, May 23, 1997, 8:00 a.m.

1000 Red River, Room 514E

Austin

Board of Trustees Real Estate Committee

AGENDA:

1. Approval of Minutes of the April 25, 1997 Meeting
2. Consideration of Sale of Assets (Strip Shopping Centers in Sun City, Arizona) Owned by TRST Sun City, Inc.

3. Consideration of Sale of Assets (Office building in Manhattan) Owned by TRST New York, Inc.
4. Consideration of Sale of Assets (Office Building in Milwaukee, Wisconsin) Owned by TRST Milwaukee, Inc.
5. Consideration of Prepayment of Milwaukee Center Hotel Loan and Related Discussion of Settlement of Litigation Involving Adjacent Milwaukee Center Office Tower.
6. Update on Mortgage Risk Ratings
7. Update Regarding Project of Real Estate Strategic Consultant

For ADA assistance, contact John R. Mercer, (512) 397-6400 or TDD (512) 397-6444 or (800) 841-4497 at least two days prior to the meeting.

Contact: John R. Mercer, 1000 Red River, Austin, Texas 78701-2698, (512) 397-6400.

Filed: May 15, 1997, 4:07 p.m.

TRD-9706482



Friday, May 23, 1997, 8:00 a.m.

1000 Red River, Room 229E

Austin

Board of Trustees Budget Committee

AGENDA:

1. Discussion of the TRS Administrative Budget for Fiscal Year 1997-1998
2. Discussion of the TRS Soft Dollar Budget for Fiscal Year 1997-1998
3. Discussion of Budgets for TRS-Care, Active and Retired

For ADA assistance, contact John R. Mercer, (512) 397-6400 or TDD (512) 397-6444 or (800) 841-4497 at least two days prior to the meeting.

Contact: John R. Mercer, 1000 Red River, Austin, Texas 78701-2698, (512) 397-6400.

Filed: May 15, 1997, 4:07 p.m.

TRD-9706483



Friday, May 23, 1997, 9:00 a.m.

1000 Red River, Fifty Floor Boardroom

Austin

Board of Trustees

AGENDA:

1. Roll Call of Board Members
2. Public Comments
3. Approval of Minutes of April 25, 1997, Meeting
4. Consideration of Board Member's Absence from April 25, 1997, Meetings
5. Legislative Update- Ms. Featherston

6. Report of the Policy Committee — Dr. Stream

- a. Consideration of TRS Ethics Policy

- b. Consideration of the TRS Investment Policy on Mid-cap and Small-cap Equities, Asset Allocation among Permitted Investment Classes, and Requirements with Respect to Indexed Portfolios

7. Consideration of Action with Respect to Securities Acquired that are not Eligible under Current Investment Policy- Mr. Cooper

8. Evaluation of the Actuary by Board — Mr. Steinhart

9. Consideration of Trustees to Serve as Corporate Directors and Board of Trustee Committees- Mr. Dunlap and Mr. Steinhart

10. Discussion of Award of Contract for Custodial Services for Domestic and International Securities and for Securities Lending- Mr. Jung

11. Report on Progress in Implementation of PAM- Mr. Jung

12. Status Report of Benefit Services transformation (BeST Project)- Mr. Koontz

13. Report on Election Results for Position on TRS Board of Trustees- Mr. Mercer

14. Consideration of Signature Authorization to Approve and Sign Vouchers- Mr. Dunlap

15. Report of Executive Director- Mr. Dunlap

16. Comments by Board Members

For ADA assistance, contact John R. Mercer, (512) 397-6400 or TDD (512) 397-6444 or (800) 841-4497 at least two days prior to the meeting.

Contact: John R. Mercer, 1000 Red River, Austin, Texas 78701-2698, (512) 397-6400.

Filed: May 15, 1997, 4:07 p.m.

TRD-9706484



Texas A&M University System

Thursday, May 22, 1997, 8:45 a.m.

Early Childhood Center, Room 219, Angel Fish Drive

Texas A&M University, Corpus Christi

Corpus Christi

Board of Regents

AGENDA:

Open house forum for discussion of student related issues.

Contact: Vickie Burt, College Station, Texas 77843, (409) 845-9600.

Filed: May 16, 1997, 10:14 a.m.

TRD-9706505



Thursday, May 22, 1997, 9:30 a.m., and reconvene May 23, 1997, 10:30 a.m. or upon adjournment of Committee for Student and Academic Affairs

Early Childhood Center, Room 219, Angel Fish Drive

Texas A&M University, Corpus Christi

Corpus Christi

Board of Regents

AGENDA:

Consider, Act, and Vote on the Following: Scholarship Funds and Quasi-Endowments; Distribute Income; Appropriations and Purchases; Gifts, Grants, Loans and Bequests; Budget Guidelines; Easements; Name Facilities Bid Actions; Prelim Designs and PORs; Degrees; Centers and Institutes; Instruct Telecom Plan; Agreement Memos; Rev. Charter; Emeritus Titles; Acad. Tenure; Appoints. and Promotions, Rev. Litigation Policy; Minutes Leg. Update; Health Science Center Initiative Update; Closed Session Discussion: Consult with/Sys. Attys. on Pending and Proposed Litigation and Matters Rec. as Atty-Client Confidential and Privileged; Matters Involving the Appoint., Employ., Eval. Reassign., Duties, Discipline or Dismissal or to Hear Complaints or Charges Against an Offr. or Employee; Closed Session Conferences w/Sys. Employees to Receive Inform; Update on Syst. Activities.

Contact: Vickie Burt, College Station, Texas 77843, (409) 845-9600.
Filed: May 16, 1997, 10:14 a.m.

TRD-9706506



Thursday, May 22, 1997, 10:15 a.m., (or upon recess of Board Meeting)

Early Childhood Center, Room 219, Angel Fish Drive

Texas A&M University, Corpus Christi

Corpus Christi

Committee on Finance

AGENDA:

Consider, Act, and Vote on the Following: Est. Johnson Scholarship Fund and BCD Gala Scholarship Fund, BCD; Est. Washington Endowed Scholarship Fund, PVAMU; Est. Foster Quasi-Endowed Scholarship, TAMU; Dedicate Funds of TAMU Bookstore Quasi-Endowment for Acad. Scholarships; Distribute Income from Helm Estate to TAMU, ACU and TWU; Appropriations from AUF for Matching of Parencia Chair in Ent. Endowment, TAMU; Purchase Equip. through EMAP, WTAMU, Accept Gifts, Grants, Loans and Bequests; Appropriations by Chancellor; Guidelines for FY 1998 Operating Budgets, TAMUS; Report on SEC Bond Compliance.

Contact: Vickie Burt, College Station, Texas 77843, (409) 845-9600.
Filed: May 16, 1997, 10:17 a.m.

TRD-9706507



Thursday, May 22, 1997, 11:00 a.m., (or upon recess of Committee on Finance)

Early Childhood Center, Room 219, Angel Fish Drive

Texas A&M University, Corpus Christi

Corpus Christi

Committee on Buildings and Physical Plant

AGENDA:

Consider, Act, and Vote on the Following: Execute Right-of Way Easement; Name Facilities; Act on Bids; Approve Preliminary Designs and Program of Requirements; Appropriations for Designs; Presentation on Real Estate Holdings, Status of System Construction Projects; Status of Projects Under Construction.

Contact: Vickie Burt, College Station, Texas 77843, (409) 845-9600.
Filed: May 16, 1997, 10:17 a.m.

TRD-9706508



Friday, May 23, 1997, 9:00 a.m., (or upon recess of Board Meeting)

Early Childhood Center, Room 219, Angel Fish Drive

Texas A&M University, Corpus Christi

Corpus Christi

Committee on Academic and Student Affairs

AGENDA:

Consider, Act, and Vote on the Following: Authorize MS Degree w/ Major in Nursing-Nurse Pract. Specialty, PVAMU; Create World Food Distri. Train. Ctr. of Excellence, PVAMU; Authorize MS Degree in Early Childhood Education, TAMU-CC; Authorize Instr. Telecom Plan, TAMU-T; Execute Agreement w/UNT, TEES; Executive Agreement w/BCD, TEES; Approve Concept for Instr. for Telecom and Information Technologies, TEES; Approve Revised Charter, TTI; Executive Agreement w/TAMU-C, TTI; Community Leaders Address Committee.

Contact: Vickie Burt, College Station, Texas 77843, (409) 845-9600.
Filed: May 16, 1997, 10:17 a.m.

TRD-9706509



Texas Southern University

Thursday, June 5, 1997, 8:00 a.m.

3100 Cleburne/Hannah Hall, Room 111

Houston

Academic Affairs — Subcommittee Retention and Recruitment

AGENDA:

Meeting to Consider: Discussion on Retention and Recruitment.

Contact: Janet Lightfoot, 3100 Cleburne, Houston, Texas 77004, (713) 529-8911.

Filed: May 16, 1997, 12:36 p.m.

TRD-9706546



Thursday, June 5, 1997, 9:00 a.m.

3100 Cleburne/Hannah Hall, Room 111

Houston

Litigation Committee

AGENDA:

Meeting to Consider: A review of cases filed and pending against the university. Executive Session.

Contact: Janet Lightfoot, 3100 Cleburne, Houston, Texas 77004, (713) 529-8911.

Filed: May 16, 1997, 12:37 p.m.

TRD-9706545

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Thursday, June 5, 1997, 10:30 a.m.

3100 Cleburne/Hannah Hall, Room 111

Houston

Development Committee

AGENDA:

Meeting to Consider: Reports from the Administration on University Fund-Raising efforts.

Contact: Janet Lightfoot, 3100 Cleburne, Houston, Texas 77004, (713) 529-8911.

Filed: May 16, 1997, 12:37 p.m.

TRD-9706544

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Thursday, June 5, 1997, 11:30 a.m.

3100 Cleburne/Hannah Hall, Room 111

Houston

Academic Affairs Committee

AGENDA:

Meeting to Consider: Progress reports of academic activities and programs. Executive Session.

Contact: Janet Lightfoot, 3100 Cleburne, Houston, Texas 77004, (713) 529-8911.

Filed: May 16, 1997, 12:36 p.m.

TRD-9706542

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Thursday, June 5, 1997, 12:30 p.m.

3100 Cleburne/Hannah Hall, Room 111

Houston

Personnel Committee

AGENDA:

Meeting to Consider: Ratification of appointments of instructional personnel, academic personnel changes. Executive Session.

Contact: Janet Lightfoot, 3100 Cleburne, Houston, Texas 77004, (713) 529-8911.

Filed: May 16, 1997, 12:37 p.m.

TRD-9706543

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Thursday, June 5, 1997, 1:30 p.m.

3100 Cleburne/Hannah Hall, Room 111

Houston

Student Services Committee

AGENDA:

Meeting to Consider: Progress report on the Dorms, and to receive informational items. Executive Session.

Contact: Janet Lightfoot, 3100 Cleburne, Houston, Texas 77004, (713) 529-8911.

Filed: May 16, 1997, 12:36 p.m.

TRD-9706541

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Thursday, June 5, 1997, 2:30 p.m.

3100 Cleburne/Hannah Hall, Room 111

Houston

Finance and Building and Grounds Committee

AGENDA:

Meeting to Consider: Matters relating to financial reporting systems, and budgets; fiscal reports from the administration; investments, contract awards; and informational items. Executive Session.

Contact: Janet Lightfoot, 3100 Cleburne, Houston, Texas 77004, (713) 529-8911.

Filed: May 16, 1997, 12:36 p.m.

TRD-9706540

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Friday, June 6, 1997, 8:30 a.m.

3100 Cleburne/Robert J. Terry Library, Fifth Floor

Houston

Board of Regents

AGENDA:

Meeting to Consider: Minutes; Report of the President; Report from standing committees. Executive Session.

Contact: Janet Lightfoot, 3100 Cleburne, Houston, Texas 77004, (713) 529-8911.

Filed: May 16, 1997, 12:36 p.m.

TRD-9706539

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Texas State Technical College System

Wednesday, May 21, 1997, 9:00 a.m.

3801 Campus Drive, System Administration Conference Room

Waco

Board of Regents, Executive Committee Teleconference

AGENDA:

The Board of Regents Executive Committee will meet by teleconference to take action on the recommendations of the Search Committee

to reopen the search for the TSTC Chancellor for 60 days and place advertisements, so stating.

Contact: Sandra J. Krumnow, 3801 Campus Drive, Waco, Texas 76705, (817) 867-3964.

Filed: May 16, 1997, 10:40 a.m.

TRD-9706519



Texas Turnpike Authority

Friday, May 30, 1997, 10:30 a.m.

Administration Office, 3015 Raleigh Street

Dallas

Board of Directors (by telephone conference call)

AGENDA:

According to the agenda summary, the agenda includes approval of minutes of the Board of Directors meeting of March 11, 1997; consideration of acceptance of engineering and financial reports/studies of the Eastern Extension of the President George Bush Turnpike; consideration of interlocal/interagency agreements involving engineering, procurement and construction matters related to the Dallas North Tollway System, the 183A Turnpike, the Southwest Parkway, the Trinity Parkway, the SH45/Loop 1 turnpike and the SH130 route turnpike; consideration of award of engineering design and service contracts and supplemental agreements for the Dallas North Tollway System, the 183A Turnpike, the SH 130 Turnpike, the SH45/Loop 1 Turnpike and the Southwest Parkway; consider award of construction contracts on the Dallas North Tollway System; Executive Session- Pursuant to Chapter 551, Subchapter D, Texas Government Code: (a) Subsection 551.071(1), advice from counsel and TTA personnel about pending or contemplated litigation and/or settlement offers related to the Dallas North Tollway System, (b) §§551.071, 551.072 and 551.073, deliberations concerning real property value, purchase, exchange, lease, gift, donation, and/or negotiated settlement included in Right-of-Way Appraisal/Offer/Purchase List Number 72 and advice from counsel concerning negotiations/settlements/offers related to the Dallas North Tollway System, the 183A Turnpike, or the Southwest Parkway, (c) §551.074, deliberations concerning appointment, employment, evaluation, reassignment, duties, discipline, and/or dismissal of various staff persons and positions, (d) §551.075, briefing by TTA Staff and questioning of TTA staff related to the Dallas North Tollway System and other TTA operations; consideration of acceptance of ROW Appraisal/Offer/Purchase List Number 72 related to the Dallas North Tollway System, the 183A Turnpike and the Southwest Parkway; and report on and discussion of TTA related legislative matters.

Contact: Jimmie G. Newton, 3015 Raleigh Street, Dallas, Texas 75219, (214) 522-6200.

Filed: May 19, 1997, 8:10 a.m.

TRD-9706591



University Interscholastic League

Wednesday, May 21, 1997, 8:00 a.m.

Region II Service Center, 209 North Water Street

Corpus Christi

Hearing Officer, State Executive Committee

AGENDA:

AA. To review and take action on findings of District 32AA Executive Committee concerning allegations of recruiting violations by Kingsville Academy, Santa Gertrudias ISD and Driscoll ISD.

Contact: C. Ray Daniel, 3001 Lake Austin Boulevard, Austin, Texas, 78711, (512) 471-5883

Filed: May 16, 1997, 12:38 p.m.

TRD-9706547



UT M.D. Anderson Cancer Center

Tuesday, May 20, 1997, 9:00 a.m.

1515 Holcombe Boulevard, Room B8-4344

Houston

Institutional Animal Care and Use Committee

AGENDA:

Review of Protocol for Animal Care and Use and Modifications thereof.

Contact: Anthony Mastromarino, Box 101, Houston, Texas 77030, (713) 792-3220.

Filed: May 15, 1997, 4:14 p.m.

TRD-9706488



Regional Meetings

Meetings filed May 14, 1997

Atascosa County Appraisal District, Appraisal Review Board, will meet at Fourth and Avenue J, Poteet, May 27, 1997, at 9:00 a.m. Information may be obtained from Curtis Stewart, P.O. Box 139, Poteet, Texas 78065-0139, (210) 742-3591. TRD-9706341.

Atascosa County Appraisal District, Board of Directors, will meet at Fourth and Avenue J, Poteet, May 29, 1997, at 1:30 p.m. Information may be obtained from Curtis Stewart, P.O. Box 139, Poteet, Texas 78065-0139, (210) 742-3591. TRD-9706342.

Cash Water Supply Corporation, Board of Directors, met at Corporation Office, FM 1564 at Highway 34, Greenville, May 19, 1997 at 7:00 p.m. Information may be obtained from Eddy W. Daniel, P.O. Box 8129, Greenville, Texas 75404-8129, (903) 883-2695. TRD-9706340.

Central Plains Center for MHMR and SA, Board of Trustees, met at 208 South Columbia, Plainview, May 22, 1997 at 6:00 p.m. Information may be obtained from Ron Trusler, 2700 Yonkers, Plainview, Texas 79072, (806) 293-2636. TRD-9706356.

Heart of Texas Region MHMR Center, Board of Trustees, met at 110 South 12th Street, Waco, May 20, 1997 at 11:45 a.m. Information may be obtained from Helen Jasso, P.O. Box 890, Waco, Texas 76703, (817) 752-3451, extension 290. TRD-9706357.

Appraisal District of Jones County, Appraisal Review board, met at 1137 East Court Plaza, Anson, May 20, 1997 at 8:30 a.m.

Information may be obtained from Susan Holloway, P.O. Box 348, Anson, Texas 79501, (915) 823-2422. TRD-9706351.

Kendall Appraisal District, Public Hearing, met at 121 South Main Street, Boerne, May 22, 1997 at 5:00 p.m. Information may be obtained from Leta Schlinke or Helen Tamayo, P.O. Box 788, Boerne, Texas 78006, (210) 249-8012, fax: (210) 249-3975. TRD-9706343.

Kendall Appraisal District, Board of Directors, met at 121 South Main Street, Boerne, May 22, 1997 at 5:30 p.m. Information may be obtained from Leta Schlinke or Helen Tamayo, P.O. Box 788, Boerne, Texas 78006, (210) 249-8012, fax: (210) 249-3975. TRD-9706344.

Lower Neches Valley Authority, Board of Directors, met at 7850 Eastex Freeway, Beaumont, May 20, 1997, 10:30 a.m. Information may be obtained from A.T. Hebert, Jr., P.O. Drawer 3464, Beaumont, Texas 77704, (409) 892-4011. TRD-9706369.

Lower Rio Grande Valley Development Council, Hidalgo County Metropolitan Planning Organization, met at TxDot District Office, 600 West Expressway U.S. 83, Pharr, May 22, 1997 at 7:00 p.m. Information may be obtained from Edward L. Molitor, 311 North 15th Street, McAllen, Texas (210) 682-3481. TRD-9706345.

San Antonio-Bexar County Metropolitan Planning Organization, Transportation Steering Committee, met at International Conference Center of the Convention Center Complex, San Antonio, May 19, 1997 at 1:30 p.m. Information may be obtained from Joe Coleman, 603 Navarro, Suite 904, San Antonio, Texas 78205, (210) 227-8651. TRD-9706348.

Texas Automobile Insurance Plan Association, Governing Committee, met at the Omni Austin Hotel Southpark, 4140 Governor's Row, May 22, 1997 at 8:30 a.m. Information may be obtained from Dianna Brooks at TAIPA, P.O. Box 18447, Austin, Texas 78760-8447, (512) 444-5999. TRD-9706355.

West Central Texas Workforce Development Board, met at 815 North Judge Ely Boulevard, Abilene, May 21, 1997, at 11:00 a.m. Information may be obtained from Mary Ross, 1025 EN Tenth Street, Abilene, Texas 79601, (915) 672-8544. TRD-9706350.

Meetings filed May 15, 1997

Bexar-Medina-Atascosa Counties Water Control and Improvement District One, Board of Directors, met at 226 Highway 132, Natalia, May 21, 1997 at 8:30 a.m. Information may be obtained from J.W. Ward III, P.O. Box 170, Natalia, Texas 78059, (210) 665-2132. TRD-9706418.

Burke Center, Board of Trustees, will meet at FM 2497, Peavy Switch Recovery Center, Lufkin, May 27, 1997 at 1:00 p.m. Information may be obtained from Debra Fox, 4101 South Medford Drive, Lufkin, Texas 75901, (409) 639-1141. TRD-9706385.

Central Plains Center for MHMR and SA, Board of Trustees, met with revised agenda, at 208 South Columbia, Plainview, May 22, 1997 at 6:00 p.m. Information may be obtained from Ron Trusler, 2700 Yonkers, Plainview, Texas 79072, (806) 293-2636. TRD-9706389.

Central Texas MHMR Center, Board of Trustees, met at 408 Mulberry, Brownwood, May 19, 1997 at 5:00 p.m. Information may be obtained from Saul Pullman, P.O. Box 250, Brownwood, Texas 76804, (915) 646-9574, Extension 103. TRD-9706417.

Comal Appraisal District, Appraisal Review Board, will meet at 178 East Mill Street, Room 102, New Braunfels, Tuesday, Wednesday and Thursday, June 3-5, 1997 at 8:30 a.m. Information may be obtained from Lynn E. Rodgers, P.O. Box 311222, New Braunfels, Texas 78131-1222, (210) 625-8597. TRD-9706419.

Comal Appraisal District, Appraisal Review Board, will meet at 178 East Mill Street, Room 102, New Braunfels, Tuesday, Wednesday and Thursday, June 10, 11 and 12, 1997 at 8:30 a.m. Information may be obtained from Lynn E. Rodgers, P.O. Box 311222, New Braunfels, Texas 78131-1222, (210) 625-8597. TRD-9706420.

Comal Appraisal District, Appraisal Review Board, will meet at 178 East Mill Street, Room 102, New Braunfels, Tuesday, Wednesday and Thursday, June 17, 18 and 19, 1997 at 8:30 a.m. Information may be obtained from Lynn E. Rodgers, P.O. Box 311222, New Braunfels, Texas 78131-1222, (210) 625-8597. TRD-9706421.

Comal Appraisal District, Appraisal Review Board, will meet at 178 East Mill Street, Room 102, New Braunfels, Tuesday, Wednesday and Thursday, June 24, 25 and 26, 1997 at 8:30 a.m. Information may be obtained from Lynn E. Rodgers, P.O. Box 311222, New Braunfels, Texas 78131-1222, (210) 625-8597. TRD-9706422.

Comal Appraisal District, Appraisal Review Board, will meet at 178 East Mill Street, Room 102, New Braunfels, Tuesday, Wednesday and Thursday, July 7, 8 and 9, 1997 at 8:30 a.m. Information may be obtained from Lynn E. Rodgers, P.O. Box 311222, New Braunfels, Texas 78131-1222, (210) 625-8597. TRD-9706423.

Comal Appraisal District, Appraisal Review Board, will meet at 178 East Mill Street, Room 102, New Braunfels, Monday, Tuesday, Wednesday, Thursday, and Friday, July 14, 15, 16, and 17, 1997 at 8:30 a.m. Information may be obtained from Lynn E. Rodgers, P.O. Box 311222, New Braunfels, Texas 78131-1222, (210) 625-8597. TRD-9706424.

Coryell County Appraisal District, Appraisal Review Board, met at 107 North Seventh, Gatesville, May 21, 1997 at 9:30 a.m. Information may be obtained from Darrell Lisenbe, P.O. Box 142, Gatesville, Texas 76528, (817) 865-6593. TRD-9706444.

Dallas Central Appraisal District, Appraisal Review Board, will meet at 2949 North Stemmons Freeway, Dallas, May 30, 1997 at 11:30 a.m. Information may be obtained from Rick Kuehler, 2949 North Stemmons Freeway, Dallas, Texas 75247, (214) 631-0520. TRD-9706374.

East Texas Council of Governments, Workforce Development Board, met at 801 North Highway 259, Kilgore Community Inn, May 22, 1997, 8:30 a.m. Information may be obtained from Glynn Knight, 3800 Stone Road, Kilgore, Texas 75662, (903) 984-8641. TRD-9706378.

East Texas Council of Governments, Workforce Development Board, met at 801 North Highway 259, Kilgore, May 22, 1997, 11:30 a.m. Information may be obtained from Glynn Knight, 3800 Stone Road, Kilgore, Texas 75662, (903) 984-8641. TRD-9706425.

Education Service Center, Region XIII, Board of Directors, met at 5701 Springdale Road, Austin, May 21, 1997 at 11:30 a.m. Information may be obtained from Dr. Roy C. Benavides, 5701 Springdale Road, Austin, Texas 78723, (512) 919-5300. TRD-9706396.

Education Service Center, Region XIII, Board of Directors, met at 5701 Springdale Road, Austin, May 21, 1997 at 1:00 p.m. Information may be obtained from Dr. Roy C. Benavides, 5701 Springdale Road, Austin, Texas 78723, (512) 919-5300. TRD-9706388.

Golden Crescent Regional Planning Commission, Executive Committee, will meet at 568 Big Bend Drive, Victoria, May 28, 1997, at 4:00 p.m. Information may be obtained from Rhonda G. Stastny, P.O. Box 2028, Victoria, Texas 77902, (512) 578-1587. TRD-9706442.

Henderson County Appraisal District, Board of Directors, met at 1751 Enterprise, Athens, May 19, 1997 at 5:30 p.m. Information may be obtained from Lori Fetterman, 1751 Enterprise, Athens, Texas 75751, (903) 675-9296. TRD-9706386.

Hill Country Community MHMR Center, Board of Trustees, met at 1001 Junction Highway, Kerrville, May 20, 1997 at 10:00 a.m. Information may be obtained from Janis Beck, 1901 Dutton Drive, Suite D, San Marcos, Texas 78666, (512) 753-2279. TRD-9706481.

Hunt County Appraisal District, Appraisal Review Board, will meet at 4801 King Street, Greenville, May 27th through June 30th, 1997 at 8:30 a.m. Information may be obtained from Shirley Gregory, P.O. Box 1339, Greenville, Texas 75403, (903) 454-3510. TRD-9706426.

Lamar County Appraisal District, Board of Directors, met at 521 Bonham Street, Paris, May 20, 1997 at 4:00 p.m. Information may be obtained from Joe A. Welch, P.O. Box 400, Paris, Texas 75461, (903) 785-7822. TRD-9706412.

Leon County Central Appraisal District, Board of Directors, met at 103 North Commerce, Corner Highway 7 and 75, Gresham Building, Centerville, May 19, 1997 at 7:00 p.m. Information may be obtained from Jeff Beshears, P.O. Box 536, Centerville, Texas 75833-0536, (903) 536-2252. TRD-9706377.

Lubbock Regional MHMR Center, Board of Trustees- Program Committee, met at 1602 10th Street, Board Room, Lubbock, May 20, 1997 at 10:00 a.m. Information may be obtained from Gene Menefee, P.O. Box 2828, Lubbock, Texas 79408, (806) 766-0202. TRD-9706409.

Lubbock Regional MHMR Center, Board of Trustees- Resource Committee, met at 1602 10th Street, Conference Room, Lubbock, May 22, 1997 at 11:00 a.m. Information may be obtained from Gene Menefee, P.O. Box 2828, Lubbock, Texas 79408, (806) 766-0202. TRD-9706408.

Lubbock Regional MHMR Center, Board of Trustees, met at 1602 10th Street, Board Room, Lubbock, May 22, 1997 at Noon. Information may be obtained from Gene Menefee, P.O. Box 2828, Lubbock, Texas 79408, (806) 766-0202. TRD-9706407.

North Central Texas Council of Governments, JTPA Subcommittee of the North Central Texas Local Workforce Development Board, Inc., met at Centerpoint Two, 616 Six Flags Drive, Second Floor, Arlington, May 22, 1997 at 12:15 p.m. Information may be obtained from Casandra J. Vines, Box 5888, Arlington, Texas 76005-5888, (817) 695-9176. TRD-9706384.

North Central Texas Council of Governments, Executive Board, met at Centerpoint Two, 616 Six Flags Drive, Suite 200, Arlington, May 22, 1997 at 12:45 p.m. Information may be obtained from Casandra J. Vines, Box 5888, Arlington, Texas 76005-5888, (817) 695-9176. TRD-9706375.

Palo Pinto Appraisal District, Appraisal Review Board, met at 200 Church Avenue, Palo Pinto, May 21, 1997 at 1:30 p.m. Information may be obtained from Carol Holmes, P.O. Box 250, Palo Pinto, Texas 76484-0250, (817) 659-1281. TRD-9706411.

Palo Pinto Appraisal District, Board of Directors, met at 200 Church Avenue, Palo Pinto, May 22, 1997 at 3:00 p.m. Information may be obtained from Carol Holmes, P.O. Box 250, Palo Pinto, Texas 76484-0250, (817) 659-1281. TRD-9706410.

Panhandle Regional Planning Commission, Board of Directors, met at 415 West Eighth Avenue, Amarillo, May 22, 1997 at 1:30 p.m. Information may be obtained from Rebecca Rusk, P.O. Box 9257, Amarillo, Texas 79105, (806) 372-3381. TRD-9706413.

Upshur County Appraisal District, Board of Directors, will meet at the Warren and Trinity Streets, Gilmer, May 23, 1997, at 1:00 p.m. Information may be obtained from Louise Stracener, P.O. Box 280, Gilmer, Texas 75644-0280, (903) 843-3041. TRD-9706380.

Meetings filed May 16, 1997

Alamo Area Council of Governments, Management Committee, met at 118 Broadway, Suite 400, San Antonio, May 21, 1997 at 10:00 a.m. Information may be obtained from Al J. Notzon III, 118 Broadway, Suite 400, San Antonio, Texas 78205, (210) 225-5201. TRD-9706492.

Brazos Valley Development Council, Overall Economic Development Program Committee, met at 1706 East 29th Street, Bryan, May 20, 1997 at 12:30 p.m. Information may be obtained from Jason Bienski, 1706 East 29th Street, Bryan, Texas (409) 775-4244. TRD-9706521.

Central Texas Council of Governments, Work Force Development Board of Central Texas, met at 302 North Penelope, Belton, May 22, 1997 at 10:00 a.m. Information may be obtained from Susan Kamas, P.O. Box 729, Belton, Texas 76513, (817) 939-3771. TRD-9706517.

Central Texas MHMR Center, Board of Trustees, met with revised agenda, at 408 Mulberry, Brownwood, May 19, 1997 at 5:00 p.m. Information may be obtained from Saul Pullman, P.O. Box 250, Brownwood, Texas 76804, (915) 646-9574, extension 103. TRD-9706587.

Edwards Aquifer Authority, Finance Committee, met at 1615 North St. Marys' Street, San Antonio, May 21, 1997 at 4:30 p.m. Information may be obtained from Sally Tamez-Salas, 1615 North St. Marys' Street, San Antonio, Texas 78212, (210) 222-2204. TRD-9706490.

Edwards Central Appraisal District, Board of Directors, met at 408 Austin Street, County Annex, Rocksprings, May 19, 1997 at 11:00 a.m. Information may be obtained from Wiley Rudasill, P.O. Box 858, Rocksprings, Texas 78880, (210) 683-4189. TRD-9706513.

Edwards Central Appraisal District, Appraisal Review Board, met at 408 Austin Street, County Annex, Rocksprings, May 23, 1997 at 10:00 a.m. Information may be obtained from Wiley Rudasill, P.O. Box 858, Rocksprings, Texas 78880, (210) 683-4189. TRD-9706515.

Gonzales County Appraisal District, Board of Directors, met at 928 St. Paul Street, Gonzales, May 22, 1997 at 6:00 p.m. Information may be obtained from Brenda Downey, or Glenda Strackbein, 928 St. Paul, Gonzales, Texas 78629, (210) 672-2879 or fax: (210) 672-8345. TRD-9706549.

Harris County Appraisal District, Appraisal Review Board, met at 2800 North Loop West, Second Floor, Houston, May 21, 1997 at 8:00 a.m. Information may be obtained from Bob Gee, 2800 North Loop West, Houston, Texas 77092, (713) 957-5222. TRD-9706573.

Harris County Appraisal District, Appraisal Review Board, met at 2800 North Loop West, Second Floor, Houston, May 22, 1997 at 8:00 a.m. Information may be obtained from Bob Gee, 2800 North Loop West, Houston, Texas 77092, (713) 957-5222. TRD-9706574.

Johnson County Rural Water Supply Corporation, Regular Monthly Board Meeting, met at Corporation Offices, 2849 Highway 171 South, Cleburne, May 20, 1997 at 6:00 p.m. Information may be obtained from Peggy Johnson, P.O. Box 509, Cleburne, Texas, 76033, (817) 645-6646. TRD-9706516.

Lower Colorado River Authority, Board of Directors, met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, May 21, 1997 and reconvening May 22, 1997 at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3304. TRD-9706575.

Lower Colorado River Authority, Regional Development Committee, met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, May 21, 1997 and reconvening, if necessary, May 22, 1997 at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3304. TRD-9706576.

Lower Colorado River Authority, Audit Committee, met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, May 21, 1997 and reconvening, if necessary, May 22, 1997 at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3304. TRD-9706577.

Lower Colorado River Authority, Finance and Administration Committee, met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, May 21, 1997 and reconvening, if necessary, May 22, 1997 at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3304. TRD-9706578.

Lower Colorado River Authority, Land and Water Operations Committee, met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, May 21, 1997 and reconvening, if necessary, May 22, 1997 at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3304. TRD-9706579.

Lower Colorado River Authority, Energy Operations Committee, met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, May 21, 1997 and reconvening, if necessary, May 22, 1997 at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3304. TRD-9706580.

MHMR Authority of Brazos Valley, Personnel Committee, met at 1504 Texas Avenue, Bryan, May 22, 1997 at 12:30 p.m. Information may be obtained from Leon Bawcom, P.O. Box 4588, Bryan, Texas 77805, (409) 822-6467. TRD-9706553.

MHMR Authority of Brazos Valley, Board of Trustees, met at 1504 Texas Avenue, Bryan, May 22, 1997 at 1:30 p.m. Information may be obtained from Leon Bawcom, P.O. Box 4588, Bryan, Texas 77805, (409) 822-6467. TRD-9706552.

North Central Texas Council of Governments, School-to-Work Partnership Committee of the North Central Texas Workforce Board,

Inc. met at 616 Six Flags Drive, Arlington, May 20, 1997 at 1:30 p.m. Information may be obtained from Casandra J. Vines, 616 Six Flags Drive, Arlington, Texas 76011, (817) 695-9176. TRD-9706489.

Riceland Regional Mental Health Authority, Finance/Human Resources Committee of the Board of Trustees, met at 400 Avenue F, Bay City, May 22, 1997 at 10:00 a.m. Information may be obtained from Marjorie Dornak, P.O. Box 869, Wharton, Texas 77488, (409) 532-3098. TRD-9706555.

San Jacinto River Authority, Board of Directors, met at 2301 North Millbend Drive, The Woodlands, May 22, 1997, 8:00 a.m. Information may be obtained from James R. Adams, or Ruby Shiver, P.O. Box 329, Conroe, Texas 77305, (409) 588-1111. TRD-9706514.

San Patricio County Appraisal District, Appraisal Review Board, will meet at 1146 East Market Street, Sinton, June 5, 9-12, 17-20, 19, 20, 23-27, and June 30, 1997, at 9:00 a.m. Information may be obtained from Kathryn Vermillion, P.O. Box 938, Sinton, Texas 78387, (512) 364-5402. TRD-9706565.

Swisher County Appraisal District, Board of Directors, met at 130 North Armstrong, Tulia, May 22, 1997 at 7:30 p.m. Information may be obtained from Rose Lee Powell, P.O. Box 8, Tulia, Texas 79088, (806) 995-4118. TRD-9706491.

Meetings filed May 19, 1997

Cass County Appraisal District, Appraisal Review Board, met at 502 North Main Street, Linden, May 22, 1997 at 9:00 a.m. Information may be obtained from Janelle Clements, 502 North Main Street, Linden, Texas 75563, (903) 756-7545. TRD-9706598.

Fisher County Appraisal District, Appraisal Review Board, will meet at Fisher County Courthouse/Courtroom, Roby, July 7-11, 1997, at 9:00 a.m. Information may be obtained from Betty Mize, P.O. Box 516, Roby, Texas 79543, (915) 776-2733. TRD-9706601.

Grayson Appraisal District, Board of Directors, will meet with revised agenda, at 205 North Travis, Sherman, May 28, 1997, at Noon. Information may be obtained from Angie Keeton, 205 North Travis, Sherman, Texas 75090, (903) 893-9673. TRD-9706616.

Lee County Appraisal District, Board of Directors, will meet at 218 East Richmond Street, Giddings, May 28, 1997 at 9:00 a.m. Information may be obtained from Roy L. Holcomb, 218 East Richmond Street, Giddings, Texas 78942, (409) 542-9618. TRD-9706600.

Rusk County Appraisal District, Board of Directors, met at 107 North Van Buren, Henderson, May 22, 1997 at 1:30 p.m. Information may be obtained from Melvin R. Cooper, P.O. Box 7, Henderson, Texas 75653-0007, (903) 657-9697. TRD-9706621.

Sharon Water Supply Corporation, Board of Directors, met at the Office of Sharon Water Supply Corporation, Route 5, Winnsboro, May 19, 1997 at 7:00 p.m. Information may be obtained from Gerald Brewer, Route 5, Box 50361, Winnsboro, Texas 75494, (903) 342-3525. TRD-9706614.

IN ADDITION

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings, changes in interest rate and applications to install remote service units, and consultant proposal requests and awards.

To aid agencies in communicating information quickly and effectively, other information of general interest to the public is published as space allows.

Coastal Coordination Council

Notice and Opportunity to Comment on Requests for Consistency Agreement/Concurrence under the Texas Coastal Management Program

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 Federal Register pp. 1439-1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC 501. Requests for federal consistency review were received for the following projects(s) during the period of May 13, 1997, through May 16, 1997:

Applicant: TX Eastern Transmission Corps; Location: Texas Eastern's existing, right-of-way, pipeline segment to be abandoned in place will be from Station 0+00 to 0+80, which is equal to 0.80 miles; Project No.: 97-0131-F1; Type of Application: Initial Plan of Exploration, Title 30 CFR 250.33 (f) and (h).

Applicant: IP Petroleum Company Inc.; Location: Exploration Wells in High Island Block 164; Project No.: 97-0132-F1; Type of Application: Initial Plan of Exploration, Title 30 CFR 250.33 (f) and (h).

Applicant: Barrett Resources Corp; Location: Galveston Block 270; Project No.: 97-0133-F1; Type of Application: Initial Plan of Exploration, Title 30 CFR 250.33 (f) and (h).

Applicant: Temple Housing Authority; Location: Property located at 31.07101 North Latitude and 97.346059 West Longitude. The property is in Bell County, located on the east side of first street or Spur 290 approximately 0.2 miles northeast of the intersection of Loop 363 and First Street; Project No.: 97-0134-F1; Type of Application: Initial Plan of Exploration, Title 30 CFR 250.33 (f) and (h).

Pursuant to §306(d)(14) of the Coastal Zone Management Act of 1972 (16 U.S.C.A. §§1451-1464), as amended, interested parties are invited to submit comments on whether a proposed action should be referred to the Coastal Coordination Council for review and whether the action is or is not consistent with the Texas Coastal Management

Program goals and policies. All comments must be received within 30 days of publication of this notice and addressed to Ms. Janet Fatheree, Council Secretary, 1700 North Congress Avenue, Room 617, Austin, Texas 78701-1495.

Issued in Austin, Texas, on May 16, 1997.

TRD-9706584

Garry Mauro

Chairman

Coastal Coordination Council

Filed: May 16, 1997



Texas Court Reporters Certification Board

Certification of Court Reporters

Following the examination of applicants on April 18, 1997, the Texas Court Reporters Certification Board certified to the Supreme Court of Texas the following individuals who are qualified in the method indicated to practice shorthand reporting pursuant to Chapter 52 of the Texas Government Code, V.T.C.A.:

ORAL STENOGRAPHY: Wendy L Duncan-Arlington and Denise Hill-N Richland Hills.

MACHINE SHORTHAND: C Todd Baker-Grapevine; Kevin James Bruzewski-Houston; Rosario Castillo-Fort Worth; Deborah Lynn Fitzpatrick-North Scituate, MA; Karen C Gehlsen-Grapevine; Evelyn Tonie Kall-Houston; Lizabeth Lynn Kellett-Dallas; Rachelle Elise Latino-Austin; Sandra June Locascio-Houston; Shelly Elizabeth Loughie-Irving; Jennifer Lynn Marquardt-Houston; Marilyn Sue McLester-Fort Worth; Gloria Moss-Arlington; Theresa Parham-Keller; Kimberly A Rampoldi-Coppell; Antionette Reagor-Dallas; Christine Regalado-Austin; Renae Virginia Seeger-Mesquite; and Tracey L Taylor-Friendswood.

Issued in Austin, Texas, on May 15, 1997.

TRD-9706406

Peg Liedtke

Executive Secretary
Texas Court Reporters Certification Board
Filed: May 15, 1997

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Texas Department of Health

Extension of Deadline Date for Notice of Request for Proposals for the Tuberculosis Innovative Demonstration Project Grants Program

Purpose: The Texas Department of Health (department), Tuberculosis Elimination Division (TBED) is requesting proposals for the development of innovative demonstration projects that will lead to a decrease in tuberculosis morbidity. The first notice of Request for Proposals (RFP) for the Tuberculosis Innovated Demonstration Project Grants Program was published in the May 13, 1997, issue of the *Texas Register* (22 TexReg 4273). The notice of the RFP is being republished in order to extend the deadline date, and has also added more information for "Description" and "Evaluation and Selection."

Description: The department is seeking contractors to develop innovative approaches to control and eliminate tuberculosis. The goals are to: (1) increase public awareness and involvement in the control and elimination of tuberculosis; (2) decrease barriers that prevent, control, and eliminate tuberculosis; (3) develop and support tuberculosis control campaigns; complement existing programs and activities already serving at-risk communities; (4) collaborate with local and regional health departments and support public/private partnership efforts on a grassroots level to control and eliminate tuberculosis. The department will use the competitive procurement process to select seven contractors to develop collaborative relationships with community organizations and local health departments in an effort to address the problems associated with tuberculosis in the state.

Eligible Applicants: Eligible offerors include the official public health agencies of state, regional, and local health departments and non-profit agencies/organizations. Individuals are not eligible to apply.

Limitations: Funding for the selected proposal will depend upon available state appropriations. The department reserves the right to reject any and all offerors received in response to the RFP and cancel the RFP if it is deemed in the best interest of the department. Also, at anytime during the contract period, the department reserves the right to cancel any contract that is not successfully fulfilling the goals and purpose of the contract agreement.

Term: The tentative effective date for the contract is September 1, 1997. Renewal of the competitively procured contract usually begins at the beginning of each calendar year (September 1). At its option, the department may negotiate the renewal or extension of any contract(s) on a noncompetitive basis for a total contract duration not to exceed 24 months.

Deadlines: The contact person to answer any questions is: Paula Watrous. All proposals to be considered for funding through this RFP must be received by 5:30 p.m. on June 23, 1997, at the Texas Department of Health, Tuberculosis Elimination Division, 1100 West 49th Street, Room G-310, Austin, Texas, 78756 (Attention: Paula Watrous). Proposals received after this deadline or via fax transmission will not be accepted.

Evaluation and Selection: An internal evaluation selection panel designated by the department will rank and score the proposals.

The evaluation will be based upon the criteria outlined in the RFP. Before any funds are awarded to grantees, an Internal Review will be performed by the Office of Grants Management and the legal office at the department. The sole purpose is to verify whether or not the interested projects owe the state money or have previous or current problems in receiving state funds.

Issued in Austin, Texas, on May 19, 1997.

TRD-9706593
Susan K. Steeg
General Counsel
Texas Department of Health
Filed: May 19, 1997

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The Health and Human Services Commission State Medicaid Office has received approval from the Health Care Financing Administration to amend the Title XIX Medical Assistance Plan by Transmittal Number 96-23, Amendment Number 524.

The amendment provides information about the optional groups covered in the AFDC plan, as well as the IV-A waiver provisions in effect as of July 16, 1986. The amendment is effective November 5, 1996.

If additional information is needed, please contact Rita King, Texas Department of Human Services at (512) 438-4148.

Issued in Austin, Texas, on May 14, 1997.

TRD-9706494
Marina S. Henderson
Executive Deputy Commissioner
Health and Human Services Commission
Filed: May 16, 1997

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Health and Human Services Commission

Public Notice

The Health and Human Services Commission State Medicaid Office has received approval from the Health Care Financing Administration to amend the Title XIX Medical Assistance Plan by Transmittal Number 97-01, Amendment Number 525.

The amendment is in accordance with 4211 (b)(2) of the Omnibus Budget Reconciliation Act of 1987. The amendment does not change the nursing facility reimbursement methodology or rates.

If additional information is needed, please contact Pam McDonald, Texas Department of Human Services at (512) 438-4086.

Issued in Austin, Texas, on May 14, 1997.

TRD-9706493
Marina S. Henderson
Executive Deputy Commissioner
Health and Human Services Commission
Filed: May 16, 1997

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Texas Department of Insurance

Insurer Services

The following applications have been filed with the Texas Department of Insurance and are under consideration:

Application for incorporation in Texas for Amica Lloyds of Texas, a domestic Lloyds plan. The home office is in Bellaire, Texas.

Application for a name change in Texas for Medical Community Insurance Company, a domestic life, accident and health company. The home office is in Houston, Texas.

Application for a name change in Texas for Pacific Mutual Life Insurance Company, a foreign life, accident and health company. The proposed new name is Pacific Life Insurance Company. The home office is in Newport Beach, California.

Application for a name change in Texas for Classic Insurance Company, a foreign fire and casualty company. The proposed new name is Progressive Classic Insurance Company. The home office is in Madison, Wisconsin.

Any objections must be filed within 20 days after this notice was filed with the Texas Department of Insurance, addressed to the attention of Cindy Thurman, 333 Guadalupe Street, M/C 305-2C, Austin, Texas 78701.

Issued in Austin, Texas, on May 16, 1997.

TRD-9706529

Bernice Ross

Deputy Chief Clerk

Texas Department of Insurance

Filed: May 16, 1997



Texas Department of Insurance

Notice of Public Hearing

The Commissioner of Insurance or his designee at a public hearing under Docket Number 2294, scheduled for June 24, 1997, at 10:00 a.m. in Room 100 of the William P. Hobby Jr. State Office Building, 333 Guadalupe Street in Austin, Texas, will consider amendments to Part One Section I. A. 13. and Part Two Section I. E. and F. of the Texas Retrospective Rating Plan Manual (Manual). These recommended changes are necessary in order to establish the only allowable method for calculating the Residual Market Premium (RMP).

The proposed amendments to Part One Section I. A. 13. change the General Explanation of RMP to be consistent with the changes proposed in Part Two Section I. E.

The proposed amendments to Part Two Section I. E. establish the only allowable method for calculating RMP. RMP is a proportion of either the deficit assessed or the surplus rebated to the member companies of the Texas Workers' Compensation Insurance Facility (Facility) based on its operating results. The Texas Workers' Compensation (WC) retrospective premium for certain retrospectively rated policies effective on or after May 1, 1991 through December 31, 1994 is the basis for determining RMP to be returned to or collected from policyholders. For the purposes of this rule, an assessment results in an additional premium charge to the policyholder and a surplus results in a refund to the policyholder. The Texas Department of Insurance shall publish a Residual Market Factor (RMF) for 1991, 1992, 1993 and 1994. Each RMF shall be determined by dividing the Total Assessed or Rebated Texas WC Residual Market Deficit or Surplus

for the Accident Year by the Total Assessable Texas WC Voluntary Written Premium for the year to which the deficit or surplus relate. The insurance carriers shall then calculate each policyholder's RMP by applying the RMF for the appropriate year to the policyholder's Texas WC retrospective premium.

The proposed amendments set forth the process to determine the proportionate share of the Facility's surplus for those policyholders with retrospectively rated policies effective from May 1, 1991 through December 31, 1991 that elected to pay the residual market premium as an additional elective element in addition to the retrospective premium and for those policyholders with retrospectively rated policies effective in calendar year 1992, 1993 and 1994. The proposed amendments provide that if the latest retrospective premium computation is the final adjustment, the RMP calculated on that adjustment is final and no further adjustment of the retrospective premium or the RMP shall be made, except as permitted in the Manual for clerical error. In the proposal, if the latest retrospective premium computation is being held open for further adjustment, the RMP will be recalculated after each computation of retrospective premium. If the RMP is different than previously calculated, the difference shall be returned to or collected from the policyholder accordingly. In a three-year plan or Long Term Construction Project plan, the RMF shall apply separately to each annual period as if the plan was written on one-year plans.

The proposed amendments require each insurance carrier to calculate and return the appropriate RMP for each retrospectively rated policyholder no later than ninety days after the effective date of this rule. In addition, each insurance carrier is required to file with the Deputy Commissioner of WC of the TDI a report indicating the names of all retrospectively rated risks receiving a surplus refund, the amount of the surplus refund each received and the date the surplus refund was sent to each policyholder.

The proposed amendments to Part Two Section I. F. are editorial in nature to delete unnecessary wording.

The staff requests that the proposed amendments to Part One, Section I. A. 13 and Part Two, Section I. E. and F. be adopted with an effective date of 15 days after notice of adoption is published in the Texas Register.

The Commissioner has jurisdiction over this matter pursuant to Insurance Code, Articles 5.76-2 Section 4.04 (d) and (e), 5.77 and 5.96.

A copy of the amendments containing the full text of the proposed amendments is available for review in the Office of the Chief Clerk of the Texas Department of Insurance, 333 Guadalupe Street, Austin, Texas 78714-9092. For further information or to request copies of the amendments, please contact Ms. Angie Arizpe (512) 322-4147, (refer to Ref. Number W-0597-14-I).

The staff and the Commissioner request that written comments to these proposed amendments be submitted prior to the public hearing on June 24, 1997. The written comments should be directed to Caroline Scott, General Counsel and Chief Clerk, Texas Department of Insurance, P. O. Box 149104, MC 113-2A, Austin, Texas 78714-9092. An additional copy of the comments is to be submitted to Nancy Moore, Deputy Commissioner Workers' Compensation, Texas Department of Insurance, P. O. Box 149092, Austin, Texas 78714-9092. Public testimony at the hearing on June 24, 1997, is also invited and encouraged.

This notification is made pursuant to the Insurance Code, Article 5.96, which exempts it from the requirements of the Government Code, Chapter 2001 (Administrative Procedure Act).

Issued in Austin, Texas, on May 14, 1997.

TRD-9706373

Bernice Ross

Deputy Chief Clerk

Texas Department of Insurance

Filed: May 14, 1997



Third Party Administrator Applications

The following third party administrator (TPA) applications have been filed with the Texas Department of Insurance and are under consideration.

Application for incorporation in Texas of DPG Distribution Services, Inc., a domestic third party administrator. The home office is El Paso, Texas.

Application for incorporation in Texas of Texas Medical Association Insurance Trust, a domestic third party administrator. The home office is Austin, Texas.

Application for incorporation in Texas of Michael Rhinehardt, (doing business under the assumed name of Rhinehardt Claims Services), a domestic third party administrator. The home office is Dallas, Texas.

Any objections must be filed within 20 days after this notice was filed with the Secretary of State, addressed to the attention of Charles M. Waits, MC 107-5A, 333 Guadalupe, Austin, Texas 78714-9104.

Issued in Austin, Texas, on May 14, 1997.

TRD-9706365

Bernice Ross

Deputy Chief Clerk

Texas Department of Insurance

Filed: May 14, 1997



Texas Natural Resource Conservation Commission

Enforcement Orders

An agreed enforcement order was entered regarding RAYMONDVILLE, CITY OF, Docket Number 96-1835-PWS-E (PWS Number 2450001, CCN Number 10542) on May 7, 1997, assessing \$1,940 in administrative penalties with \$582. deferred.

Information concerning any aspect of this order may be obtained by contacting Tom Napier, Enforcement Coordinator at (512)239-6063, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding MOUNTAIN PEAK WATER SUPPLY CORPORATION, Docket Number 96-1560-PWS-E (PWS Number 0700042, CCN Number 10908) on May 6, 1997, assessing \$2,920 in administrative penalties with \$876. deferred.

Information concerning any aspect of this order may be obtained by contacting Terry Thompson, Enforcement Coordinator at (512)239-6095, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding ROSE CITY, CITY OF, Docket Number 96-1843-PWS-E (PWS Number 1810139) on May 6, 1997, assessing \$3,000 in administrative penalties with \$900. deferred.

Information concerning any aspect of this order may be obtained by contacting Tom Napier, Enforcement Coordinator at (512) 239-6063, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An default enforcement order was entered regarding LONGHORN RANCH MOTEL, INCORPORATED, Docket Number 96-0775-PWS-E (PWS Number 0220032) on May 6, 1997, assessing \$980. in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Booker Harrison, Staff Attorney at (512) 239-4113 or Katharine Wheatley, Enforcement Coordinator at (512) 239-4757, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding MOUNT VERNON, CITY OF, Docket Number 96-1908-MWD-E (Permit Number 11122-002) on May 6, 1997, assessing \$11,840 in administrative penalties with \$3,552 deferred.

Information concerning any aspect of this order may be obtained by contacting Pamela Campbell, Enforcement Coordinator at (512) 239-4493, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding CLINT INDEPENDENT SCHOOL DISTRICT, Docket Number 96-1931-MWD-E (Permit Number 13667-001) on May 6, 1997, assessing \$2,880 in administrative penalties with \$864. deferred.

Information concerning any aspect of this order may be obtained by contacting Bill Main, Enforcement Coordinator at (512) 239-4481, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding CMH PARKS, INCORPORATED, ROCKY MOBILE HOME PARK Docket Number 96-1627-MWD-E (Permit Number 13732-001) on May 6, 1997, assessing \$15,200 in administrative penalties with \$4,560 deferred.

Information concerning any aspect of this order may be obtained by contacting Roxanne Cook, Enforcement Coordinator at (512) 239-4496, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding CROSS ROADS INDEPENDENT SCHOOL DISTRICT, Docket Number 97-0029-MWD-E (Permit Number 13789-001) on May 6, 1997, assessing \$3,840 in administrative penalties with \$1,152 deferred.

Information concerning any aspect of this order may be obtained by contacting Michael Meyer, Enforcement Coordinator at (512) 239-4492, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding NEW BOSTON, CITY OF, Docket Number 96-1788-MWD-E (Permit Number 10482-001) on May 6, 1997, assessing \$12,800 in administrative penalties with \$3,840 deferred.

Information concerning any aspect of this order may be obtained by contacting Laurie Eaves, Enforcement Coordinator at (512) 239-4495, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding SINTON, CITY OF, Docket Number 96-1753-MWD-E (Permit Number 13641-001) on May 6, 1997, assessing \$2,440 in administrative penalties with \$732. deferred.

Information concerning any aspect of this order may be obtained by contacting Mary Smith, Enforcement Coordinator at (512) 239-4484, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding EDEN, CITY OF, Docket Number 96-1824-MWD-E (Permit Number 10081-001) on May 6, 1997, assessing \$2,220 in administrative penalties with \$666. deferred.

Information concerning any aspect of this order may be obtained by contacting Mary Smith, Enforcement Coordinator at (512) 239-4484, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding NEEDVILLE, CITY OF, Docket Number 96-1969-MWD-E (Permit Number 10343-001) on May 6, 1997,.

Information concerning any aspect of this order may be obtained by contacting Pamela Campbell, Enforcement Coordinator at (512)239-4493, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding WEST HARDIN COUNTY CONSOLIDATED ISD, Docket Number 96-1786-MWD-E (Permit Number 11274-001) on May 6, 1997, assessing \$2,200 in administrative penalties with \$660. deferred.

Information concerning any aspect of this order may be obtained by contacting Lin Zhang, Enforcement Coordinator at (512) 239-4497, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding HOOKS, CITY OF, Docket Number 96-1856-MWD-E (Permit Number 10507-001) on May 6, 1997, assessing \$1,280 in administrative penalties with \$384. deferred.

Information concerning any aspect of this order may be obtained by contacting Lin Zhang, Enforcement Coordinator at (512) 239-4497, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding MR. JULIAN KUBECZKA, Docket Number 96-1109-PST-E (Facility Number 55235, Enforcement ID Number E11425) on May 6, 1997, assessing \$2,500 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Patricia Welton, Staff Attorney at (512) 239-0682 or Srimi Kusumanchi, Enforcement Coordinator at (512) 239-5874,

Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding H & C TIRE CENTER, INC., Docket Number 96-0975-PST-E (Facility Number 21086, Enforcement ID Number E11575) on May 6, 1997, assessing \$6,800 in administrative penalties with \$1,360 deferred.

Information concerning any aspect of this order may be obtained by contacting Patricia Welton, Staff Attorney at (512) 239-0682 or Srimi Kusumanchi, Enforcement Coordinator at (512) 239-5874, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed enforcement order was entered regarding DYEISS AIR FORCE BASE, Docket Number 96-1868-IHW-E (Permit Number HW-50250, SWR Number 64003) on May 6, 1997, assessing \$42,480 in administrative penalties with \$12,744 deferred.

Information concerning any aspect of this order may be obtained by contacting John Sadlier, Enforcement Coordinator at (512) 239-6012, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An enforcement order was entered regarding SCOTTY JOE LANE, Docket Number 96-1156-IHW-E (SWR Number 84229) on May 6, 1997, assessing \$15,000 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Thomas Corwin, Staff Attorney at (512) 239-5919 or Subhash Jain, Enforcement Coordinator at (512) 239-5867, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

Issued in Austin, Texas, on May 16, 1997.

TRD-9706557

Eugenia K. Brumm

Chief Clerk

Texas Natural Resource Conservation Commission

Filed: May 16, 1997



Extension of Comment Period (Chapter 122)

In the May 13, 1997, issue of the *Texas Register* (22 TexReg 4140) and in the May 20, 1997, issue of the *Texas Register*, the Texas Natural Resource Conservation Commission published notice of a public hearing to receive comments on 30 TAC Chapter 122, concerning Federal Operating Permits. The hearing is scheduled for June 12, 1997. The deadline for receipt of written comments was published as June 13, 1997, but the commission has extended the deadline to June 20, 1997, at 5:00 p.m..

For further information or questions regarding the proposal, please contact Cheryl Covone, Operating Permits Division, Office of Air Quality, (512) 239-1144.

Issued in Austin, Texas, on May 19, 1997.

Issued in Austin, Texas, on May 15, 1997.

TRD-9706596

Kevin McCalla

Director, Legal Division

Texas Natural Resource Conservation Commission

Filed: May 19, 1997

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Notice of Application to Appropriate Public Waters of the State of Texas

The following notices of application for permits to appropriate Public Waters of the State of Texas were issued during the period May 8, 1997, through May 13, 1997.

Application Number 5582 by AMERICO FINANCIAL INC for a permit to maintain and use an existing dam and reservoir on an unnamed tributary of Cottonwood Creek, tributary of the East Fork Trinity River, tributary of the Trinity River, Trinity River Basin, for in-place recreational purposes as part of a residential subdivision, approximately 4 miles northeast of Plano in Collin County, Texas.

Application Number 5583 by the BOY SCOUTS OF AMERICA, THREE RIVERS COUNCIL for a permit to authorize applicant to reconstruct a breached dam on Magnus Branch, tributary of Big Cypress Creek, tributary of Turkey Creek, tributary of Village Creek, tributary of the Neches River, Neches River Basin. The dam will create a 28 acre-foot capacity reservoir (known as Urland Lake) to be used for in-place recreational purposes at a Boy Scout Camp approximately two miles southwest of Woodville, Texas.

Application Number 5585 by COUNTY OF NACOGDOCHES (LAKE NACONICHE) for a permit to authorize the construction of a 9,072 acre-foot reservoir with a normal operating elevation of 348.0 mean sea level on Naconiche Creek, tributary of Attoyac Bayou, tributary of the Angelina River, tributary of the Neches River, Neches River Basin. The applicant is requesting that the impounded waters be used for flood control and recreation purposes in Nacogdoches County, approximately 13 miles northeast of Nacogdoches, Texas. No diversion of waters from the reservoir is requested.

Application Number 4148B to amend Water Use Permit Number 3845, as amended, submitted by the SARA M. DUNHAM TRUST. Applicant seeks to amend Permit Number 3845, as amended, by authorizing construction of an off-channel reservoir formed by a system of levees with a total capacity of 2925 acre-feet of water to be located in the J.W.R. Tilden Survey, Abstract Number 348 in Delta County. The applicant also seeks to divert and use an additional 11,312 acre-feet of water per annum from any point in Franklin, Hopkins and Delta Counties within the 13,510.71 acres on the South Sulphur River and the Sulphur River in the Sulphur River Basin, for subsequent irrigation use, either directly to the fields or to the proposed off-channel reservoir for subsequent irrigation. The total combined maximum diversion rate will remain at 60,000 gallons per minute.

The Executive Director may approve these applications unless a written hearing request is filed in the Chief Clerk's Office of the TNRCC within 30 days after newspaper publication of the notice of application. To request a hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the applicant and the application number; (3) the statement "I/we request a public hearing;" (4) a brief description of how you would be adversely affected by the granting of the application in a way not common to the general public; and (5) the location of your property relative to the applicant's operations.

If a hearing request is filed, the Executive Director will not approve the application and will forward the application and hearing request to the TNRCC Commissioners for their consideration at a scheduled

Commission meeting. If a hearing is held, it will be a legal proceeding similar to civil trials in state district court.

If you wish to appeal a permit issued by the Executive Director, you may do so by filing a written Motion for Reconsideration with the Chief Clerk of the Commission no later than 20 days after the date the Executive Director signs the permit.

Requests for a public hearing must be submitted in writing to the Chief Clerk's Office, MC 105, TNRCC, P.O. Box 13087, Austin, TX 78711-3087. Individual members of the public who wish to inquire about the information contained in this notice, or to inquire about other agency permit applications or permitting processes, should call the TNRCC Office of Public Assistance, Toll Free, at 1-800-687-4040.

Issued in Austin, Texas, on May 16, 1997.

TRD-9706559

Eugenia K. Brumm

Chief Clerk

Texas Natural Resource Conservation Commission

Filed: May 16, 1997

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Provisionally-Issued Temporary Permits to Appropriate State Water

Listed below are permits issued during the period of May 16, 1997.

Application Number TA-7796 by Mobil Pipe Line Company for diversion of 10 acre-feet in a one year period for industrial (hydrostatic test of a new pipeline) use. Water may be diverted from the Red River, one mile west of Highway 81, approximately 3 miles west of Ringgold in Montague County, Texas, Red River Basin.

Application Number TA-7807 by Moylan Construction Company, Inc. for diversion of 1 acre-foot in a six month period for industrial (hydrostatic test) use. Water may be diverted from the Clear Fork of the Brazos River, ten miles southwest of Throckmorton in Throckmorton County, Texas, Bravos River Basin.

Application Number TA-7815 by Exxon Corporation for diversion of 1 acre-foot in a one year period for mining use. Water may be diverted from an unnamed tributary of Turkey Creek, just south of Interstate Highway 45, approximately 21 miles south of Houston Harris County, Texas, San Jacinto-Coastal Basin.

The Executive Director of the TNRCC has reviewed each application for the permits listed and determined that sufficient water is available at the proposed point of diversion to satisfy the requirements of the application as well as all existing water rights. Any person or persons who own water rights or who are lawful users of water on a stream affected by the temporary permits listed above and who believe that the diversion of water under the temporary permit will impair their rights may file a complaint with the TNRCC. The complaint can be filed at any point after the application has been filed with the TNRCC and the time the permit expires. The Executive Director shall make an immediate investigation to determine whether there is a reasonable basis for such a complaint. If a preliminary investigation determines that diversion under the temporary permit will cause injury to the complainant the commission shall notify the holder that the permit shall be canceled without notice and hearing. No further diversions may be made pending a full hearing as provided in §295.174. Complaints should be addressed to Water

Rights Permitting Section, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711, Telephone (512) 239-4433. Information concerning these applications may be obtained by contacting the Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711, Telephone (512) 239-3300.

Issued in Austin, Texas, on May 16, 1997.

TRD-9706556

Eugenia K. Brumm

Chief Clerk

Texas Natural Resource Conservation Commission

Filed: May 16, 1997

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Notice of Application for Temporary Permit to Appropriate Public Waters of the State of Texas

Submitted pursuant to Texas Water Code §11.138 and Texas Administrative Code §§295.61-62, 295.125, 295.153(c)(1), 295.154, 295.174 and 297.13

APPLICATION NUMBER TA-7764 by Oxy Petrochemicals Inc. for a temporary permit to divert and use not to exceed 2,764 acre-feet of water (1,382 acre-feet of water per year, for a two year period) from Oso Creek, Nueces-Rio Grande Coastal Basin. Water will be diverted at a maximum diversion rate of 1,000 gpm (2.23 cfs) for industrial purposes to replace potable water used in industrial cooling towers. Diversions will occur in Nueces County from a point near the stream crossing of Oso Creek and State Highway 44, located approximately twelve and one-half miles west from Corpus Christi and approximately one mile northeast from Violet, Texas.

APPLICATION NUMBER TA-7808 by JERRY W. GLAZE for a temporary permit to divert and use not to exceed 400 acre-feet of water within a 1-year period of time from the Lampasas River, tributary of the Little River, tributary of the Brazos River, Brazos River Basin. Water will be diverted at a maximum diversion rate of 800 gallons per minute to irrigate 300 acres of land located in Lampasas and Burnet Counties, approximately 3.5 miles south of Kempner, Texas.

APPLICATION NUMBER TA-7809 by BRADLEY B. WARE for a temporary permit to divert and use not to exceed 130 acre-feet of water within a 1-year period of time from the Lampasas River, tributary of the Little Creek, tributary of the Brazos River, Brazos River Basin. Water will be diverted at a maximum diversion rate of 500 gallons per minute to irrigate 100 acres of land in Bell County approximately 1.3 miles west-southwest of the Community of Maxdale and approximately 15 miles southwest of Kileen, Texas.

The Executive Director may issue the permit unless a written hearing request is filed within 10 days after issuance of this notice. To request a hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number and fax number, if any; (2) the application number and applicant's name; (3) the statement "I/we request an evidentiary public hearing;" (4) a brief description of how you would be adversely affected by the granting of the application in a way not common to the general public; and (5) the location of your property relative to the applicant's operations. If a hearing request is filed, the Executive Director will not issue the permit and will forward the application and hearing request to the TNRCC Commissioners for

their consideration at a scheduled Commission meeting. If a hearing is held, it will be a legal proceeding similar to civil trials in state district court.

If you wish to appeal a permit issued by the Executive Director, you may do so by filing a written Motion for Reconsideration with the Chief Clerk of the Commission no later than 20 days after the date the Executive Director signs the permit.

Requests for a public hearing must be submitted in writing to the Chief Clerk's Office, MC 105, TNRCC, P.O. Box 13087, Austin, TX 78711-3087. Individual members of the public who wish to inquire about the information contained in this notice, or to inquire about other agency permit applications or permitting processes, should call the TNRCC Office of Public Assistance, Toll Free, at 1-800-687-4040.

Issued in Austin, Texas, on May 16, 1997.

TRD-9706558

Eugenia K. Brumm

Chief Clerk

Texas Natural Resource Conservation Commission

Filed: May 16, 1997

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Public Utility Commission of Texas

Public Notice of Amendment to Service Provider Certificate of Operating Authority

On May 12, 1997, Credit Loans, Inc., d/b/a Loan Star Communications filed an application with the Public Utility Commission of Texas (PUC) to amend its service provider certificate of operating authority (SPCOA) granted in SPCOA Certificate Number 60038. Applicant intends to expand its geographic area to include other areas of the State of Texas presently being serviced by other exchange carriers and other local service providers.

The Application: Application of Credit Loans, Inc., d/b/a Lone Star Communications for an Amendment to its Service Provider Certificate of Operating Authority, Docket Number 17435.

Persons with questions about this docket, or who wish to intervene or otherwise participate in these proceedings should make appropriate filings or comments to the commission at Public Utility Commission of Texas, 1701 North Congress Avenue, Austin, Texas or by mail at P. O. Box 13326, Austin, Texas, 78711-3326, no later than May 30, 1997. You may contact the PUC Office of Consumer Affairs at (512) 936-7120. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. All correspondence should refer to Docket Number 17435.

Issued in Austin, Texas, on May 14, 1997.

TRD-9706359

Rhonda Dempsey

Rules Coordinator

Public Utility Commission of Texas

Filed: May 14, 1997

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Public Notice of Interconnection Agreement

On May 14, 1997, Southwestern Bell Telephone Company (SWB) and Express Telecommunication, Inc. (Express) collectively referred to as Applicants, filed a joint application for approval of an interconnection agreement under the Federal Telecommunications Act of 1996 (FTA) (Public Law Number 104-104, 110 Statute 56 (1996), (to be codified at 47 United States Code §§151 et. seq.) and the Public Utility Regulatory Act of 1995 (PURA) (Texas Revised Civil Statutes Annotated article 1446c-0, Vernon 1997). The joint application has been designated Docket Number 17443. The joint application and the underlying interconnection agreement are available for public inspection at the commission's offices in Austin, Texas.

The FTA authorizes the commission to review and approve any interconnection agreement adopted by negotiation of the parties. Pursuant to FTA §252(e)(2) the commission may reject any agreement if it finds that the agreement discriminates against a telecommunications carrier not a party to the agreement, or that implementation of the agreement, or any portion thereof, is not consistent with the public interest, convenience, and necessity. Additionally, under FTA §252(e)(3), the commission may establish or enforce other requirements of state law in its review of the agreement, including requiring compliance with intrastate telecommunications service quality standards or requirements. The commission must act to approve the agreement within 90 days after it is submitted by the parties.

The commission finds that additional public comment should be allowed before the commission issues a final decision approving or rejecting the interconnection agreement. Any interested person may file written comments on the joint application by filing 18 copies of the comments with the commission's filing clerk. Additionally, a copy of the comments should be served on each of the Applicants. The comments should specifically refer to Docket Number 17443. As a part of the comments, an interested person may request that a public hearing be conducted. The comments, including any request for public hearing, shall be filed by June 19, 1997, and shall include:

- 1) a detailed statement of the person's interests in the agreement, including a description of how approval of the agreement may adversely affect those interests;
- 2) specific allegations that the agreement, or some portion thereof:
 - a) discriminates against a telecommunications carrier that is not a party to the agreement; or
 - b) is not consistent with the public interest, convenience, and necessity; or
 - c) is not consistent with other requirements of state law; and
- 3) the specific facts upon which the allegations are based.

After reviewing any comments, the commission will determine whether to conduct further proceedings concerning the joint application. The commission shall have the authority given to a presiding officer pursuant to Public Utility Commission Procedural Rule §22.202. The commission may identify issues raised by the joint application and comments and establish a schedule for addressing those issues, including the submission of evidence by the Applicants, if necessary, and briefing and oral argument. The commission may conduct a public hearing. Interested persons who file comments are not entitled to participate as intervenors in the public hearing.

Persons with questions about this docket or who wish to comment on the application should contact the Public Utility Commission of

Texas, 1701 North Congress Avenue, P. O. Box 13326, Austin, Texas 78711-3326. You may call the Public Utility Commission Office of Consumer Affairs at (512) 936-7120. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. All correspondence should refer to Docket Number 17443.

Issued in Austin, Texas, on May 16, 1997.

TRD-9706569

Rhonda Dempsey

Rules Coordinator

Public Utility Commission of Texas

Filed: May 16, 1997

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On May 14, 1997, Southwestern Bell Telephone Company (SWB) and American MetroComm Corporation (American) collectively referred to as Applicants, filed a joint application for approval of an interconnection agreement under the Federal Telecommunications Act of 1996 (FTA) (Public Law Number 104-104, 110 Statute 56 (1996), (to be codified at 47 United States Code §§151 et seq) and the Public Utility Regulatory Act of 1995 (PURA) (Texas Revised Civil Statutes Annotated, Article 1446c-0, Vernon 1997). The joint application has been designated Docket Number 17446. The joint application and the underlying interconnection agreement are available for public inspection at the commission's offices in Austin, Texas.

The FTA authorizes the commission to review and approve any interconnection agreement adopted by negotiation of the parties. Pursuant to FTA §252(e)(2) the commission may reject any agreement if it finds that the agreement discriminates against a telecommunications carrier not a party to the agreement, or that implementation of the agreement, or any portion thereof, is not consistent with the public interest, convenience, and necessity. Additionally, under FTA §252(e)(3), the commission may establish or enforce other requirements of state law in its review of the agreement, including requiring compliance with intrastate telecommunications service quality standards or requirements. The commission must act to approve the agreement within 90 days after it is submitted by the parties.

The commission finds that additional public comment should be allowed before the commission issues a final decision approving or rejecting the interconnection agreement. Any interested person may file written comments on the joint application by filing 18 copies of the comments with the commission's filing clerk. Additionally, a copy of the comments should be served on each of the Applicants. The comments should specifically refer to Docket Number 17446. As a part of the comments, an interested person may request that a public hearing be conducted. The comments, including any request for public hearing, shall be filed by June 19, 1997, and shall include:

- 1) a detailed statement of the person's interests in the agreement, including a description of how approval of the agreement may adversely affect those interests;
- 2) specific allegations that the agreement, or some portion thereof:
 - a) discriminates against a telecommunications carrier that is not a party to the agreement; or
 - b) is not consistent with the public interest, convenience, and necessity; or

- c) is not consistent with other requirements of state law; and
3) the specific facts upon which the allegations are based.

After reviewing any comments, the commission will determine whether to conduct further proceedings concerning the joint application. The commission shall have the authority given to a presiding officer pursuant to Public Utility Commission Procedural Rule §22.202. The commission may identify issues raised by the joint application and comments and establish a schedule for addressing those issues, including the submission of evidence by the Applicants, if necessary, and briefing and oral argument. The commission may conduct a public hearing. Interested persons who file comments are not entitled to participate as intervenors in the public hearing.

Persons with questions about this docket or who wish to comment on the application should contact the Public Utility Commission of Texas, 1701 North Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326. You may call the Public Utility Commission Office of Consumer Affairs at (512) 936-7120. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. All correspondence should refer to Docket Number 17446.

Issued in Austin, Texas, on May 16, 1997.

TRD-9706572

Rhonda Dempsey

Rules Coordinator

Public Utility Commission of Texas

Filed: May 16, 1997



The Public Utility Commission of Texas

Public Notices of Interconnection Agreement

On May 14, 1997, Southwestern Bell Telephone Company (SWB) and Sprint Communications Company, L.C. (Sprint) collectively referred to as Applicants, filed a joint application for approval of an interconnection agreement under the Federal Telecommunications Act of 1996 (FTA) (Public Law Number 104-104, 110 Statute 56 (1996), (to be codified at 47 United States Code §§151 et seq) and the Public Utility Regulatory Act of 1995 (PURA) (Texas Revised Civil Statutes Annotated, Article 1446c-0, Vernon 1997). The joint application has been designated Docket Number 17445. The joint application and the underlying interconnection agreement are available for public inspection at the commission's offices in Austin, Texas.

The FTA authorizes the commission to review and approve any interconnection agreement adopted by negotiation of the parties. Pursuant to FTA §252(e)(2) the commission may reject any agreement if it finds that the agreement discriminates against a telecommunications carrier not a party to the agreement, or that implementation of the agreement, or any portion thereof, is not consistent with the public interest, convenience, and necessity. Additionally, under FTA §252(e)(3), the commission may establish or enforce other requirements of state law in its review of the agreement, including requiring compliance with intrastate telecommunications service quality standards or requirements. The commission must act to approve the agreement within 90 days after it is submitted by the parties.

The commission finds that additional public comment should be allowed before the commission issues a final decision approving or

rejecting the interconnection agreement. Any interested person may file written comments on the joint application by filing 18 copies of the comments with the commission's filing clerk. Additionally, a copy of the comments should be served on each of the Applicants. The comments should specifically refer to Docket Number 17445. As a part of the comments, an interested person may request that a public hearing be conducted. The comments, including any request for public hearing, shall be filed by June 19, 1997, and shall include:

- 1) a detailed statement of the person's interests in the agreement, including a description of how approval of the agreement may adversely affect those interests;
- 2) specific allegations that the agreement, or some portion thereof:
 - a) discriminates against a telecommunications carrier that is not a party to the agreement; or
 - b) is not consistent with the public interest, convenience, and necessity; or
- c) is not consistent with other requirements of state law; and
- 3) the specific facts upon which the allegations are based.

After reviewing any comments, the commission will determine whether to conduct further proceedings concerning the joint application. The commission shall have the authority given to a presiding officer pursuant to Public Utility Commission Procedural Rule §22.202. The commission may identify issues raised by the joint application and comments and establish a schedule for addressing those issues, including the submission of evidence by the Applicants, if necessary, and briefing and oral argument. The commission may conduct a public hearing. Interested persons who file comments are not entitled to participate as intervenors in the public hearing. Persons with questions about this docket or who wish to comment on the application should contact the Public Utility Commission of Texas, 1701 North Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326. You may call the Public Utility Commission Office of Consumer Affairs at (512) 936-7120. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. All correspondence should refer to Docket Number 17445.

Issued in Austin, Texas, on May 16, 1997.

TRD-9706571

Rhonda Dempsey

Rules Coordinator

Public Utility Commission of Texas

Filed: May 16, 1997



Public Notice of Interconnection Agreement

On May 14, 1997, Southwestern Bell Telephone Company (SWB) and Valu-Line of Longview, Inc. (Valu-Line) collectively referred to as Applicants, filed a joint application for approval of an interconnection agreement under the Federal Telecommunications Act of 1996 (FTA) (Public Law Number 104-104, 110 Statute 56 (1996), (to be codified at 47 United States Code §§151 et. seq.) and the Public Utility Regulatory Act of 1995 (PURA) (Texas Revised Civil Statutes Annotated article 1446c-0, Vernon 1997). The joint application has been designated Docket Number 17444. The joint application and the underlying interconnection agreement are

available for public inspection at the commission's offices in Austin, Texas.

The FTA authorizes the commission to review and approve any interconnection agreement adopted by negotiation of the parties. Pursuant to FTA §252(e)(2) the commission may reject any agreement if it finds that the agreement discriminates against a telecommunications carrier not a party to the agreement, or that implementation of the agreement, or any portion thereof, is not consistent with the public interest, convenience, and necessity. Additionally, under FTA §252(e)(3), the commission may establish or enforce other requirements of state law in its review of the agreement, including requiring compliance with intrastate telecommunications service quality standards or requirements. The commission must act to approve the agreement within 90 days after it is submitted by the parties.

The commission finds that additional public comment should be allowed before the commission issues a final decision approving or rejecting the interconnection agreement. Any interested person may file written comments on the joint application by filing 18 copies of the comments with the commission's filing clerk. Additionally, a copy of the comments should be served on each of the Applicants. The comments should specifically refer to Docket Number 17444. As a part of the comments, an interested person may request that a public hearing be conducted. The comments, including any request for public hearing, shall be filed by June 19, 1997, and shall include:

- 1) a detailed statement of the person's interests in the agreement, including a description of how approval of the agreement may adversely affect those interests;
- 2) specific allegations that the agreement, or some portion thereof:
 - a) discriminates against a telecommunications carrier that is not a party to the agreement; or
 - b) is not consistent with the public interest, convenience, and necessity; or
 - c) is not consistent with other requirements of state law; and
- 3) the specific facts upon which the allegations are based.

After reviewing any comments, the commission will determine whether to conduct further proceedings concerning the joint application. The commission shall have the authority given to a presiding officer pursuant to Public Utility Commission Procedural Rule §22.202. The commission may identify issues raised by the joint application and comments and establish a schedule for addressing those issues, including the submission of evidence by the Applicants, if necessary, and briefing and oral argument. The commission may conduct a public hearing. Interested persons who file comments are not entitled to participate as intervenors in the public hearing.

Persons with questions about this docket or who wish to comment on the application should contact the Public Utility Commission of Texas, 1701 North Congress Avenue, P. O. Box 13326, Austin, Texas 78711-3326. You may call the Public Utility Commission Office of Consumer Affairs at (512) 936-7120. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. All correspondence should refer to Docket Number 17444.

Issued in Austin, Texas, on May 16, 1997.

TRD-9706570
Rhonda Dempsey

Rules Coordinator
Public Utility Commission of Texas
Filed: May 16, 1997

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Request for Proposal for a Financial Audit of Telecommunications Relay Service for Each of the Fiscal Years Ending 1995 and 1996

The Public Utility Commission of Texas (PUC) is seeking an auditor to perform a financial audit of telecommunications relay service (Relay Texas) for each of the fiscal years ending August 31, 1995 and 1996. This audit is being undertaken pursuant to the commission's responsibility under the Public Utility Regulatory Act of 1995 (PURA), Texas Revised Civil Statutes, article 1446c-0, §3.604, to implement a statewide telecommunications relay service. The commission will use the audit to ensure that Relay Texas is being managed in compliance with the relevant rules and procedures by its contractor, Sprint Communications Co., L.P. (Sprint).

In 1989 the Texas Legislature established Relay Texas to provide the hearing-impaired and speech-impaired with access to the telecommunications network in Texas equal to that provided other customers. Relay Texas began operations in September 1990. The Texas Universal Service Fund (USF) subsidizes the cost of the program. Relay Texas is designed to enable persons with a hearing or speech impairment using a text telephone (TTY) or other automated device to communicate with persons not using such equipment.

The office of Sprint and some of the records to be audited are located in Overland Park, Kansas and Kansas City, Missouri. The Relay Texas Service Center is located in Austin, Texas. A secondary site is located in Lubbock, Texas. A general description of the accounting system followed by the Sprint staff in the course of their duties is included in the request for proposal (RFP).

In addition to introductory information, the RFP includes details regarding audit objectives and scope, information required from the contractor, criteria for selection, project administration, and conditions.

Auditors interested in receiving a complete copy of the RFP should contact Elizabeth Jones, Public Utility Commission of Texas, 1701 North Congress, P. O. Box 13326, Austin, Texas 78711-3326, Telephone (512) 936-7146.

Proposals will be due on or before 3:00 p.m. June 16, 1997.

All proposals will be evaluated by a committee of PUC staff to identify those proposals that most closely meet the requirements of the RFP. The staff will forward its recommendations to the commissioners, who will make the final selection. An open meeting will be scheduled at which the finalists may be required to make an oral presentation of their proposals and answer questions.

Issued in Austin, Texas, on May 16, 1997.

TRD-9706568
Rhonda Dempsey
Rules Coordinator
Public Utility Commission of Texas
Filed: May 16, 1997

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Request For Proposals - Respite Support

This announces the availability of funds to be awarded on behalf of the Texas Planning Council for Developmental Disabilities (TPCDD) by the Texas Rehabilitation Commission. Expected Outcome: This statewide project will encourage and expand the availability of respite services in Texas. As a result, adults and children with disabilities will be able to live with their families in the community.

Project Components: The project will investigate state and federal funding streams, and funding methodologies used in the provision of respite services; investigate Texas and other states' practices, procedures, regulations, and service delivery systems for respite services, analyzing such for exemplary programs that might be desirable for implementation; provide statewide training and technical assistance and disseminate materials related to respite support; plan and implement a statewide conference on respite services; collaborate with consumers, state agencies and private organizations to identify issues and problems in the delivery of respite services and develop a strategic plan for respite services delivery; establish a project advisory committee; and provide an ongoing internal evaluation of the impact of project activities. **Eligibility:** Eligible applicants can be public agencies, private nonprofit agencies or private for-profit agencies. **Terms:** One project will be funded for up to three years. The initial funding period is October 1, 1997, to May 31, 1998. Estimated funding to be determined by staff, but not to exceed \$160,000 per 12 month period or up to \$195,000 during the budget period which includes a statewide conference. Nonfederal match of 25% is required for the first year. A project located in counties designated as federal poverty areas requires a minimum of 10% matching resources for the first year. Funds may not be used for provision of direct services or supports to individuals. Grant funds for this RFP were awarded to the Texas Rehabilitation Commission on behalf of the Texas Planning Council for Developmental Disabilities by the Administration on Developmental Disabilities in the amount of \$160,000 in FY97. A nonfederal match of \$53,333 (25%) is expected.

For the application packet containing the full request for proposals, application forms and instructions, please submit a written or fax request to: Lester Sanders, Grants Management Director, Texas Planning Council for Developmental Disabilities, 4900 North Lamar Blvd., Austin, Texas 78751-2399, (512) 424-4097 (fax). **Deadline:** Proposals will be accepted at the Texas Planning Council Office, 4900 North Lamar Blvd., Office #5418, 5th Floor, Austin, Texas until 4:00 p.m. on July 11, 1997. No fax copies of proposals will be accepted. Copies of application kit will be sent by regular mail and will not be faxed to applicants.

Issued in Austin, Texas, on May 14, 1997.

TRD-9706486

Simon Y. Rodriguez

General Counsel for the Office of the General Counsel

Texas Rehabilitation Commission

Filed: May 15, 1997

Texas Savings and Loan Department

Notice of Application to Operate a Remote Service Unit

Notice is hereby given that application has been filed with the Savings and Loan Commissioner of Texas by: First American Bank, SSB, Bryan, Texas, for approval to establish and operate a remote service

unit at the following location: 300 North Green, Caldwell, Texas, Burleson County.

The applicant savings bank asserts that: the security of the savings bank's funds and that of its account holders will be maintained and the proposed service will be a substantial convenience to the public.

Anyone desiring to protest the above application must file a written protest with the Commissioner within 10 days following publication. The Commissioner may dispense with a hearing on this application.

This application is filed pursuant to rule 7 TAC §75.37 of the Rules and Regulations Applicable to Texas Savings Banks. These rules are on file with the Secretary of State, Texas Register Division, or may be seen at the Department's offices in the Finance Commission Building, 2601 North Lamar, Suite 201, Austin, Texas 78705.

Issued in Austin, Texas, on May 14, 1997.

TRD-9706358

James L. Pledger

Commissioner

Texas Savings and Loan Department

Filed: May 14, 1997

Teacher Retirement System of Texas

Request for Proposals

The Teacher Retirement System of Texas (TRS) is requesting proposals from qualified vendors to perform a comprehensive and objective medical claims audit of the Texas Public School Employees Group Insurance Program.

Parties interested in responding to the RFP should contact Jeanne W. Senkel, 1000 Red River, Austin, Texas 78701-2698 (512) 397-6400 to obtain a copy of the RFP.

A response to the RFP must be received in offices of TRS located at 1000 Red River, Austin, Texas 78701-2698 no later than 5:00 p.m., June 13, 1997. No proposal delivered by facsimile transmission will be accepted. TRS shall be the sole and final arbiter of when offers are received.

All potential bidders must satisfy certain requirements in order to be considered. The contract will be awarded based on an evaluation of the proposer's ability to provide the requested services and comply with all the requirement contained in the RFP. A proposer may be asked to clarify its offer.

The Teacher Retirement System is under no legal or other obligation to execute a contract on the basis of this notice or the distribution of an RFP. Neither this notice or the RFP commits the Teacher Retirement System of Texas to pay for any cost incurred prior to the execution of a contract.

Issued in Austin, Texas, on May 19, 1997.

TRD-9706615

Charles Dunlap

Executive Director

Teacher Retirement System of Texas

Filed: May 19, 1997

Texas Department of Transportation

Request for Proposals

Notice of Invitation: The Paris District of the Texas Department of Transportation (TxDOT) intends to engage an engineer, pursuant to Texas Government Code, Chapter 2254, Subchapter A, and 43 TAC §§9.30-9.40, to provide the following services. The engineer selected must perform a minimum of 30% of the actual contract work to qualify for contract award.

1. Contract Number(s) 01-645P5009 and 01-645P5010: To perform various engineering services in the Paris District. Services may include route studies, schematic preparation, environmental studies, public involvement, right-of-way determination and map preparation, bridge and roadway design and preparation of plans, specifications and estimates. These will be work authorization type contracts.

Deadline: A letter of interest notifying TxDOT of the provider's intent to submit a proposal will be accepted by fax at (903) 737-9289, or by hand/mail delivery to TxDOT, Paris District Office, Attention: DonAnne Williford, 1365 North Main Street, Paris, Texas 75460. Letters of interest will be received until 5:00 p.m. on Wednesday, June 4, 1997. The letter of interest must include the engineer's firm name, address, telephone number, fax number, name of engineer's contact person and refer to TxDOT contract number 01-645P5009 and/or 01-645P5010. Upon receipt of the Letter of Interest a Request for Proposal packet will be issued. (Note: Written requests, either by mail/hand delivery or fax, will be required to receive Request for Proposal packet. TxDOT will not issue Request for Proposal packet without receipt of letter of interest.)

Preproposal Meeting: A preproposal meeting will be held on Monday, June 16, 1997, at the Paris Junior College, 2400 Clarksville Street, Main Ballroom, Paris, Texas 75460, beginning at 1:00 p.m. (TxDOT will not accept a proposal from an engineer who has failed for any reason to attend the mandatory preproposal meeting.)

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or serves such as interpreters for persons who are deaf or hearing impaired, readers, large print or braille, are requested to contact DonAnne Williford, at (903) 737-9367 at least two work days prior to the meeting so that appropriate arrangements can be made.

Proposal Submittal Deadline: Proposals for contract number(s) 01-645P5009 and 01-645P5010 will be accepted until 5:00 p.m. on Thursday, July 3, 1997 at the previously mentioned TxDOT, Paris District Office address.

Agency Contact: Requests for additional information regarding this notice of invitation should be addressed to DonAnne Williford at (903) 737-9367 or fax (903) 737-9289.

2. Contract Number(s) 01-745P5001 and 01-745P5002: To perform various engineering services in the Paris District. Services may include route studies, schematic preparation, environmental studies, public involvement, right-of-way determination and map preparation, bridge and roadway design and preparation of plans, specifications and estimates. These will be work authorization type contracts.

Deadline: A letter of interest notifying TxDOT of the provider's intent to submit a proposal will be accepted by fax at (903) 737-9289, or by hand/mail delivery to TxDOT, Paris District Office, Attention: DonAnne Williford, 1365 North Main Street, Paris, Texas 75460. Letters of interest will be received until 5:00 p.m. on Wednesday,

June 4, 1997. The Letter of Interest must include the engineer's firm name, address, telephone number, fax number, name of engineer's contact person and refer to TxDOT contract number 01-745P5001 and/or 01-745P5002. Upon receipt of the Letter of Interest a Request for Proposal packet will be issued. (Note: Written requests, either by mail/hand delivery or fax, will be required to receive Request for Proposal packet. TxDOT will not issue Request for Proposal packet without receipt of letter of interest.)

Preproposal Meeting: A preproposal meeting will be held on Monday, June 16, 1997, at the Paris Junior College, 2400 Clarksville Street, Main Ballroom, Paris, Texas 75460, beginning at 10:30 a.m. (TxDOT will not accept a proposal from an engineer who has failed for any reason to attend the mandatory preproposal meeting.)

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or serves such as interpreters for persons who are deaf or hearing impaired, readers, large print or braille, are requested to contact DonAnne Williford, at (903) 737-9367 at least two work days prior to the meeting so that appropriate arrangements can be made.

Proposal Submittal Deadline: Proposals for contract number(s) 01-745P5001 and 01-745P5002 will be accepted until 5:00 p.m. on Thursday, July 3, 1997, at the previously mentioned TxDOT, Paris District Office address.

Agency Contact: Requests for additional information regarding this notice of invitation should be addressed to DonAnne Williford at (903) 737-9367 or fax (903) 737-9289.

Issued in Austin, Texas, on May 19, 1997.

TRD-9706610

Robert E. Shaddock

General Counsel

Texas Department of Transportation

Filed: May 19, 1997



Notice of Invitation: The General Services Division of the Texas Department of Transportation (TxDOT) intends to enter 20 contracts with professional architects/engineers, pursuant to Texas Government Code, Chapter 2254, Subchapter A, and 43 TAC §§9.30-9.40, to provide the following services. TxDOT will negotiate and enter a separate contract with each of the 20 prime providers selected. To qualify for contract award a selected architect/engineer must perform a minimum of 30% of the actual contract work.

Request For Proposal Number 44-8RFP8001: The Texas Department of Transportation (TxDOT) proposes a statewide program to design various new facilities, additions, and renovations to existing facilities. Building types generally include engineering and maintenance buildings, various repair shops, district office facilities, travel centers, highway safety rest areas, and storage buildings. Individual projects may vary.

Projects will consist of any or all of the following parts: site master planning, design and construction of all buildings, structures, site appurtenances and utilities. Included in the facility design should be all required structural, electrical, and mechanical design including telecommunications. Renovation work may include abatement of asbestos where applicable.

Services to be provided will vary according to project requirements. These may include: preparation of preliminary plans, specifications and cost estimate; preparation of bid documents, construction drawings, specifications and detailed cost estimate; site visits for construction administration and periodic and final inspections (This may potentially require travel to a remote location.); miscellaneous architectural or engineering studies.

Deadline: A letter of interest notifying TxDOT of the provider's intent to submit a proposal will be accepted by fax at (512) 416-3080, or by hand delivery to TxDOT, General Services Division, Facilities Management Section, Attention: Bill Gardner, 150 East Riverside, Suite 406N, Austin, Texas or by mail addressed to 125 East 11th Street, Austin, Texas 78701. Letters of interest will be received until 5:00 p.m. on Friday, June 6, 1997. The letter of interest must include the architect's/engineer's firm name, address, telephone number, fax number, name of architect's/engineer's contact person and refer to RFP Number 44-8RFP8001. Upon receipt of the letter of interest a Request for Proposal packet will be issued. (Note: Written requests, either by mail/hand delivery or fax, will be required to receive Request for Proposal packet. TxDOT will not issue Request for Proposal packet without receipt of letter of interest.)

Proposal Submittal Deadline: Proposals for RFP Number 44-8RFP8001 will be accepted until 5:00 p.m. on Friday, June 27, 1997, at the previously mentioned TxDOT, General Services Division, Facilities Management Section addresses.

Agency Contact: Requests for additional information regarding this notice of invitation should be addressed to Bill Gardner, TxDOT Statewide Districts Facility Manager at (512) 416-2764 or fax (512) 416-3080.

Issued in Austin, Texas, on May 19, 1997.

TRD-9706611

Robert E. Shaddock

General Counsel

Texas Department of Transportation

Filed: May 19, 1997



Texas Workforce Commission

Notice of Request for Proposals

A. Introduction.

The Texas Workforce Commission is providing the following information regarding a request for proposals for the JTPA PY97 Title IIA Older Individual Program. For PY97, the Texas Workforce Commission will block grant to each certified local board that has a Governor-approved strategic and operational plan by May 15, 1997, their share of the older individual program funds. This is consistent with the state statute requiring JTPA funds to be block granted to areas that have certified boards with approved plans.

B. Eligible Proposers.

For the areas in which certified Boards do not have approved plans by May 15, 1997, the Texas Workforce Commission will let a request for proposals on a regional basis. Certified Local Workforce Boards, Private Industry Councils (PICs) and other qualified providers with a history of service in operating an Older Individuals' Program for the age 55 and older population may bid for these funds. Any entity that receives the bid must have its proposal reviewed and approved by the Board or PIC in the affected area prior to contract execution.

C. Available Funding.

Proposals for the Older Individual Program may request up to the dollar allocated for their particular region.

D. Funding Restrictions.

Expenditures will be reimbursed on a "cost reimbursement" basis. Funds must be used only for program activities approved by TWC. Grant funds must not be used to supplant other funding or used to duplicate services. Permission must be secured from TWC before changes can be made in activities performed.

E. Selection, Notification, and Negotiation Process.

All proposals will be graded on a competitive basis. TWC anticipates completing the selection process no later than June 18, 1997. Proposers selected for grant award will be notified immediately after the selection process is completed. TWC reserves the right to vary any provisions of this RFP prior to the execution of a contract. In addition, TWC may execute amendments to contracts when TWC deems such variances or amendments are in the best interest of the State of Texas.

F. Length of Contract.

The contract period is for 12 months - beginning July 1, 1997, through June 30, 1998.

G. Agency Contact and Due Date.

To request a proposal packet, please contact: Lucretia Dennis-Small at (512) 936-3150. You may also request a packet by writing to Emily Zimmet at the Texas Workforce Commission, Workforce Development Division, 101 East 15th Street, Room 144T Austin, Texas 78778-0001. Proposals will be due on June 13, 1997 at the aforementioned address.

A list of funded grantees will be published in the Texas Register following contract completion.

Issued in Austin, Texas, on May 16, 1997.

TRD-9706562

Esther Hajdar

Director of Legal Services

Texas Workforce Commission

Filed: May 16, 1997



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